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Elite driven reform, developmental challenges, and  
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**An Analysis of Bahrain's Reform Process, 1999-2005:  
Elite Driven Reform, Developmental Challenges, and  
Strategic Opportunities**

**By**

**Waheed Al Qassim**

**Supervised By**

**Professor Anoush Ehteshami**

**A Thesis submitted for the Degree of Doctor of Philosophy**

**July 2007**



**12 FEB 2008**

*To my wife and my children  
Mohammed, Rawya, and Dalal*

*With Love*

*Dad*

## **DECLARATION**

This thesis results from my own initiative and work, and has not been offered previously in candidature for any other degree in this or any other university.

## ABSTRACT

### **An Analysis of Bahrain's Reform Process, 1999-2005: Elite Driven Reform, Developmental Challenges, and Strategic Opportunities**

**Waheed Al Qassim**

This study offers the first detailed analysis on the social, economic, and political elite driven reforms undertaken in the Kingdom of Bahrain by King Hamad Bin Isa Al Khalifa in the significant timeframe of 1999-2005. This era has witnessed the most fundamental changes in the country since the historic situation of 1973-75. Therefore, in accordance with the thesis' objectives, an original contribution is offered firstly through the detailed and micro level examination and analysis of the character of the reforms. Such analysis is largely absent from any scholarship on this topic. Secondly, it provides a comprehensive identification of the obstacles and challenges facing the implementation of future reforms and changes. The thesis focuses on a variety of differential factors within broad social, economic, political, and human rights spectrums.

It provides an identification of policy relevant initiatives which would likely counter the obstacles to future reform. Here it is suffice to say that current policy relevant scholarship and indeed government practice may indicate that strategic vision exists but fails to appreciate that on a broad level there is an acute lack of detailed policy planning. This study shows how the lack of bureaucratic project management and analysis, at a bureaucratic agency level, on new initiatives is the overarching factor, which inhibits the successful *advancement* of reform for the future. Furthermore, attention is given to particular localised initiatives that also need to be undertaken.

Finally, and most importantly, this thesis offers a new interpretation through a pragmatic analysis of this era of reform. Indeed, it offers a comprehensive understanding and meaning to the reforms and changes in Bahrain for scholarship in this field. Moreover, it builds on the existing body of scholarship on GCC states politics in particular and the Arab region in general, by showing the uniqueness of Bahrain and ultimately the need for a country specific solution to its existing barriers to future success.

## ACKNOWLEDGMENT

First of all, I would like to thank the Bahrain Defence Force (BDF) for giving me the opportunity to obtain my PhD at such a prestigious educational institution as Durham University in the United Kingdom. I am looking forward to applying my newly acquired knowledge upon my return to service and sharing it with my colleagues asking for proficiency.

I am most grateful to my adorable wife for encouraging me to go through this experience and cheerfully revising and editing the whole manuscript in spite of her many demanding responsibilities. The research would not have been feasible without the tremendous support received from my advisor Professor Anoushiravan Ehteshami whom I hold especial respect for the rich time we have spend together delivering this research. He is a true intellectual, considerate, and has become a friend I will always treasure. The author has benefited massively on constructing the initial idea of the research by the comments made on every stage of the research by Professor Mohammed Al Ansari. Many thanks go to Professor Rodney Wilson for the support and comment of the research methodology.

Special thanks go to my brothers and sisters for their encouragements and especially for my brother Abdul Razak for the financial information, the development of the research, and the support to finish on time. The author respectively gives his sincere appreciation for Dr Ahmad Farhan, Dr Hamed Al Madfai, Feryal Nass, Manal Kamal, Dr Amany Al Essa, Aiz Aldeen Al Moayad, Aza Al Khalifa, and Nasser Al Swidi for their continuous invaluable remarks on several section of the research. Many sincere thanks go to all of these people for the comment and suggestions that I have accepted, and I apologise for those that I refuse to go along with.

To the readers, I offer my thanks and appreciation for those who read it and my apologies for any errors and misinterpretations the research may still contain.

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# **Chapter I**

## **Introduction & Research Methodology**

## **1.0 PREAMBLE**

Bahrain has existed for over two hundred years in a state ruled by hereditary monarchy base. Bahrain's history shows that the last period in which political reform took place was from 1973-75. In 1999, Bahrain has entered into a new era following the onset of King Hamad bin Isa Al Khalifa's reign. The changes that have been undertaken underline that a marked departure from the social and political order of the past has taken place. It is necessary to end this abnormal situation by bringing the country back to normalcy. While these reforms activities have helped restore political calm, more needs to be done to fully achieve King Hamad's liberalisation programme.

Despite its small size, the structure of Bahraini society is clearly very complex, particularly with regard to the Shia and Sunni split. It is clear that an integration of interests must now lead the establishment of a pluralistic political system; a new long-required sense of social agreement.

Some observers have regarded Bahrain as the democratic hope of the Arab World after King Hamad succession of the throne in March 1999. Its progress toward liberalisation is being driven by economic stagnation, societal fragmentation and a history of political unrest. Therefore, its experiment with liberalisation will not be easily replicated by other Arab countries and especially the other Gulf States' reforms.

Bahrain's liberalisation programme might be different than other Arab countries because the reform submitted some constitutional restrictions on the ruler's power, to the will of the people in free, fair, and regular elections, and to term limits. Although these restrictions of power are limited but it is enough as a first step. King Hamad started his programme by assigning himself as head of state of a constitutional hereditary monarchy and new bicameral parliament where most strategic decisions are taken and approved by them. He established the foundation of the liberalisation programme to enhance the Kingdom to advance ahead.

Essential steps such as parliamentary elections, municipal elections, women having the right to vote and stand for election, constitutional court, political societies, allowing peaceful demonstrations, transparencies, champion Human Rights issues, free media, free speech, citizenship for many non national residents, and many other that encourage people to contribute in the reform process. A Bahrain political opening after years of autocracy is different than the limited political opening of Qatar on replacing its 35-member Consultative Council in 2003. Other monarchies like Saudi Arabia and Morocco also having very limited liberalisation agenda. Moreover, several Arab countries started with limited power to legislations. Most of Arab parliaments do not rule where the most logical way to begin liberalising this system would be to lower the stakes of the transition by increasing the competitiveness of the parliament while initially maintaining executive dominance.<sup>1</sup>

In the Middle East many internal factors are holding the advancement of their reforms. Bahrain reform is challenge mainly by the sectarian and poverty dilemmas that can be manage with more freedom and equal opportunities for citizens and raising the income of the poor where King Hamad is very well aware of in his reform process. Some Middle Eastern countries are experiencing political pressures unrelated to the threat of terrorism that forced them to face the necessity of change. Egypt was moving towards a succession crisis because of President Mubarak's advancing age and failure to appoint a vice president. Jordan with more than half of its population of Palestinian origin was confronted by widespread anger among its citizens because the government was maintaining its peace treaty with Israel while Palestinians in the West Bank and Gaza were under siege. Algeria is trying to reconstruct a political system that could maintain a fragile peace after a civil war between government forces and radical Islamist groups.<sup>2</sup>

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<sup>1</sup> Vickie Langohr, "An Exit from Arab Autocracy," Middle East Studies after 9/11, Journal of Democracy, Vol. 13, No.3, July 2002.

<sup>2</sup> Amy Hawthorne, "Political Reform in the Arab World: A New Ferment?," Middle East series, Carnegie Endowment for International Peace, No.52, October 2004, p. 8.

Bahrain started its reforms with the coming of the younger leader. Bahrain shares this factor with other younger leaders that succeeded power almost at the same period of time: King Abdulla II in Jordan, King Mohammed VI in Morocco, and Bashar Al Assad in Syria. In 1995, a younger leader Amir Hamad Al Thani came to power after a palace coup overthrowing his father. A mixture of personal inclination to consolidate power and an unwillingness or inability to take on the old guard in their respective governments hindered the reform process in Syria and greatly constrained it in Jordan.<sup>3</sup> Qatar has sealed its reform to limited changes because of the booming wealth. Where, a reformist trend is still alive in Bahrain.

Most of the political reforms allowed in many Arab countries are piecemeal measures that fall into the “modernisation” category. Some government such as in Egypt and Saudi Arabia for example have organised national dialogues on reform, but participants and topics discussed at such gatherings are tightly controlled. Attempts by citizens to ask their governments for change usually met with arrests. Notably, the rulers of Lebanon, Libya, Syria, Tunisia, UAE, and Yemen have made general statements in support of reform but have not yet implemented any significant measures.<sup>4</sup> Bahrain, on the other hand, implemented reform that seeks to change the overall structure of the political system that has been frozen since the mid-1970s and greatly reduced strife.

Bahrain’s experience is in part an attempt to resolve economic problems and social unrest through increased political participation. However, for Saudi Arabia, another Gulf state facing demographic and economic challenges, a move toward greater openness is unlikely.<sup>5</sup> Rulers of Saudi Arabia rest on religious grounds. Their interpretation of the Koran rejects the notion of man-made law, and the only provision for popular participation in governance is through *Shura*, a consultative mechanism whereby wise and well-informed men are meant to advise the King and

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<sup>3</sup> Ibid, p. 10.

<sup>4</sup> Ibid, p.11.

<sup>5</sup> Middle East Policy Council, “*U.S. Challenges and Choices in the Gulf: Political liberalization*,” Forums, Policy Brief No. 8, 22 November 2002.

transmit to him the views of the populace. Saudi Arabia has a Consultative Council that includes a diverse group of elites and often innovative, but does not have much direct responsibility for governance. Kuwait, on the other hand, has had its own struggles since the establishment of its parliament in 1992. The Kuwaiti parliament is active, vocal, and significantly more conservative than the royal family. Oman's slow liberalisation process has been tightly controlled by the Sultan. It has a bicameral parliament with an elected lower house, but suffrage is limited, political parties are outlawed, and the Sultan can invalidate election results. Qatar and UAE with their tiny populations and booming wealth made the need for reforms less needed than the other Gulf States.<sup>6</sup>

The study attempts to show how Bahrainis could deal with the new reform in a professional and civilised way. King Hamad's intention is to make the kingdom a constitutional hereditary monarchy. The King famously pledged to transform Bahrain into a "people's Kingdom" and said Bahrainis "*deserve dignified free life and the advanced democratic constitutional practice.*" This is a new challenge for all Bahrainis citizens whether they are male or female, old or young, Shia, Sunnis or other, they will all be tested in the new arena. The King appears to have succeeded in quelling all kind of oppositions – at least for the time being.

As a consequence of this unexpected reform, several basic questions present themselves. Were these reforms by the young King a product of internal forces or were they the fruit of Western pressure? Can Bahrain prove wrong and overcome all

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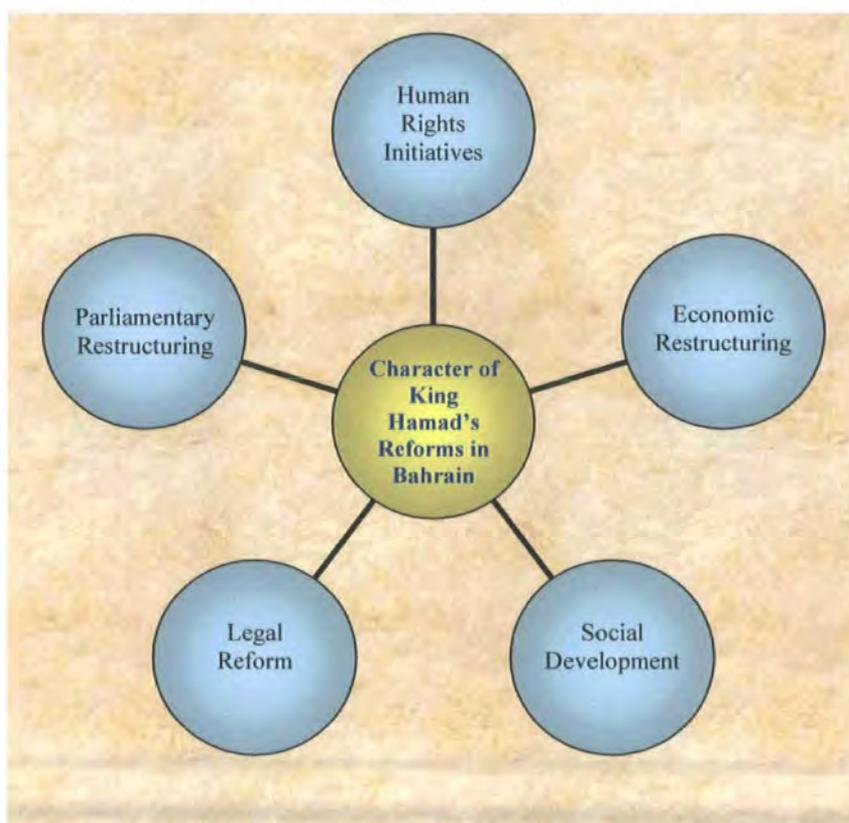
<sup>6</sup> See Olivier Da Lage, "The Gulf Monarchies in Transition: Saudi Arabia and the Smaller Gulf States: The Vassals Take their Revenge," 10-11 January 2005, at [www.ceri-sciences-po.org](http://www.ceri-sciences-po.org); Michael Herb, "Emirs and Parliaments in the Gulf," Democratisation in the Arab world, Journal of Democracy, Vol.13, No.4, October 2002; James A. Russell, "Political and Economic Transition on the Arabian Peninsula: Perils and Prospects," GulfWire Perspectives, 15 May 2003; Middle East and Africa, "Bahrain: An Arab Exception," The Economist, 31 July 2004; Adam Garfinkle, "Democracy in the Middle East: Is it Possible? Can it be Imposed?," Prospect, April 2003; Anoushiravan Ehteshami, "Is the Middle East Democratizing," JSTOR, British Journal of Middle Eastern Studies, Vol. 26, No.2, November 1999. Anoushiravan Ehteshami, "Reform from Above: the Politics of Participation in the Oil Monarchies," The Royal Institute of International Affairs, Vol. 79, No.1, January 2003; Richard N. Haass, "Toward Greater Democracy in the Muslim World," The Washington Quarterly, summer 2003; Daniel Neep, "Dilemmas of Democratization in the Middle East: The Forward Strategy of Freedom," RUSI newsbrief, Vol.23, No.12, December 2003.

pessimistic strategists and observers in the world who believe that Islam and democracy maybe incompatible, and oil and democracy are certainly unable to coexist? Can we presume that Bahrain transition is no different than those of many Arab countries that tried reforming democracy and held back?

Understanding the origins and nature of these new reforms is not only important for academic scholarship given the lack of in-depth studies undertaken on this important topic, but also for policymakers and the decision-making elite. Only through a detailed critical analysis of these initiatives can an identification of challenges and policy opportunities be identified.

When examining the nature of the reforms undertaken in Bahrain from 1999-2005, it becomes clear that they have been limited to five broad areas. Figure 1.0 illustrates their character.

*Figure 1.0: The Location of Bahrain's Reforms 1999-2005*



## **1.1 THE OBJECTIVES OF THE RESEARCH**

The overarching objective of this research is not only to offer an analysis of the reforms but also to form a set of recommendations to make the new political reform in Bahrain more constructive. Therefore, the research will fulfil the following essential objectives:

- Develop the findings into policy relevant recommendations on key areas that could further reform in accordance with the strategic outline unveiled by King Hamad.
- To provide a detailed empirical examination of the character of the reforms post-1999 until 2005.
- Provide an identification of the challenges future reform *may* encounter.
- Given what is achieved through the first three objectives, the final purpose will be to fulfil a pragmatic interpretivist objective of ascribing new meaning and understanding of the reforms undertaken specifically in the socio-political sphere in Bahrain during the time period 1999-2005.

## **1.2 THE RESEARCH QUESTIONS**

The purpose of this thesis being to analyse the reforms in Bahrain 1999-2005, the following research questions can be identified:

- What is the nature of the reform process in Bahrain 1999-2005?
- What factors exist which could conceivably hinder the realisation of King Hamad's liberalisation programme?
- How can these challenges be overcome by the government of Bahrain?

## **1.3 METHODOLOGY**

Given the objectives and the purpose of this thesis, the key issue here is to identify the most suitable methodological approach. A clear issue is that this thesis seeks to analyse the reforms conducted in several divergent fields in order to fulfil its' objective of analysing the reforms to ascribe meaning, identifying challenges and developing recommendations for the way forward.

Several methodology theories came in mind but after analysing them there were limitations made the author from using them. For example, the modernisation theory was one of the theories that could be used here as it is a socio-economic that highlights the positive role played by the developed world in modernising and facilitating sustainable development in underdeveloped nations.<sup>7</sup> Theory of modernisation has been subject to some criticism especially for being too ethnocentric, one-sided and focused on the Western world and culture. The thesis on the other hand, recommends strongly Bahrain to develop their own liberalisation programme that coop with their culture and tradition. A key methodological issue that should be recognised from the offset is that the analysis has been conducted within a short period of time after the reforms were conceived and implemented: this places clear restrictions on the suitability of more economic based methodological frameworks due to the limited viability of a long term retrospective study. As such, it would not be appropriate or feasible to examine the reforms under a singular methodological framework as the subject matter is simply too expansive and would not necessarily fulfil the qualitative and interpretivist premise of the thesis. Therefore the most suitable methodology for this thesis would be for a pragmatic approach which seeks to give a new interpretation of the reforms in Bahrain through a comprehensive deconstruction of the available data.

As the focus of the thesis is to analyse the nature of the reforms in order to give them meaning, the most appropriate methodological approach for achieving this objective will be shown to be Critical Discourse Analysis (CDA). This will form the essence of the methodology and will be reinforced with observation, semi-interviews, and dialogue with key decision making elites. Therefore, the thesis will firmly adopt a qualitative methodology in order to fulfil its objectives.

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<sup>7</sup> For better understanding of the theory see Nils Gilman, *"Mandarins of the Future: Modernisation Theory in Cold War America,"* Johns Hopkins University Press, ISBN 0-8018-7399-1, Baltimore 2003; Colin Leys, *"The Rise & Fall of Development Theory,"* Indiana University Press, 1996; Catherine Scott, *"Gender and Development: Rethinking Modernisation and Dependency Theory,"* Rienner Publishers, Boulder, 1995; Naeem Inayatullah & David Blaney, *"International Relations and the Problem of Difference,"* Routledge, London, 2004; Martina Schuster, *"Modernisation Theory and Dependencia: Why did they Fail?,"* <http://tiss.zdv.uni-tuebingen.de>.

As a theory, CDA does not seek to provide scientific or positivist answers on a particular situation, but rather offers the potential for a more detailed understanding of the motivations and conditions behind a given issue. In essence CDA falls within a Foucaultian post-modern conception as it is based on the premise that there is no scientific meaning to social and political systems, and thus meaning is only obtained through a subjective interpretation. The aim is thus not to provide definite answers but rather to give new or deeper meaning to the issue, which could then be the subject to debate and amendment towards yet an even more informative and useful prescription. This approach shows an implicit recognition of what Thomas Kuhn highlighted was the tendency for paradigm shifts in the theory of epistemology.<sup>8</sup>

In terms of the specifics of the methodology, this thesis will utilise a CDA approach as developed by Norman Fairclough through his seminal study on this methodology.<sup>9</sup> CDA is a qualitative interdisciplinary methodology which has three constituent dimensions. Fairclough writes:

*Where the aim is to map three separate forms of analysis onto one another: analysis of (spoken or written) language texts, analysis of discourse practice (processes of text production, distribution and consumption) and analysis of discursive events as instances of socio-cultural practice.*<sup>10</sup>

CDA differs from other forms of discourse analysis in so much as it is 'critical'. "Critical" implies showing connections and causes which are hidden; it also implies intervention, for example providing resources for those who may be disadvantaged through change. Fairclough indicated that the exposure of things hidden is

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<sup>8</sup> Thomas S. Kuhn, *The Structure of Scientific Revolutions*, 3rd ed. ed. Chicago; London, University of Chicago Press, 1996.

<sup>9</sup> Norman Fairclough, *Critical Discourse Analysis: The Critical Study of Language*, Language in Social Life Series, London, Longman, 1995. See also: Lilie Chouliaraki & Norman Fairclough, *Discourse in Late Modernity: Rethinking Critical Discourse Analysis*, Critical Discourse Analysis, Edinburgh: Edinburgh University Press, 1999, Norman Fairclough, *Language and Power*, Language in Social Life Series, 2nd ed. ed., Harlow, Longman, 2001, Norman Fairclough, *Analyzing Discourse: Textual Analysis for Social Research*, London: Routledge, 2003.

<sup>10</sup> Norman Fairclough, *Critical Discourse Analysis: The Critical Study of Language*, 2.

important, as they are not obvious for the people involved and therefore cannot be fought against. In short, CDA reveals what is going on behind our backs and those of others and which determines our actions.

Another methodology the thesis will develop is Maslow's Hierarchy of Needs. Maslow, an American psychologist, wrote that a better method to understand the behaviour and motivations of individuals was through the concept of the *hierarchy of needs*. The research will adopt this concept to the situation of socio-cultural and socio-economical needs of citizens in Bahrain and show how these can be considered as a key challenge to the liberalisation programme.

Maslow's work developed a grand theory of motivation, a theory that would put all of the factors influencing motivation into one model.<sup>11</sup> He examined the finest specimens of the species. So in order to discover exemplary qualities in the human race, he studied the lives of Abraham Lincoln, Albert Einstein, Jane Addams, Eleanor Roosevelt, Frederick Douglass, Martin Buber, Albert Schweitzer, and a few dozen others representing his definition of the brightest and the best rather than mentally ill or neurotic people.<sup>12</sup>

Prior to Maslow, researchers generally focused separately on such factors as biology, achievement, or power to explain what energises, directs, and sustains human behaviour. Maslow put forward a hierarchy of human needs based on two groupings: deficiency needs and growth needs. Within the deficiency needs, *each lower need must be met before moving to the next higher level*. Once each of these needs has been satisfied, if at some future time a deficiency is discovered, the individual will act to remove the deficiency.

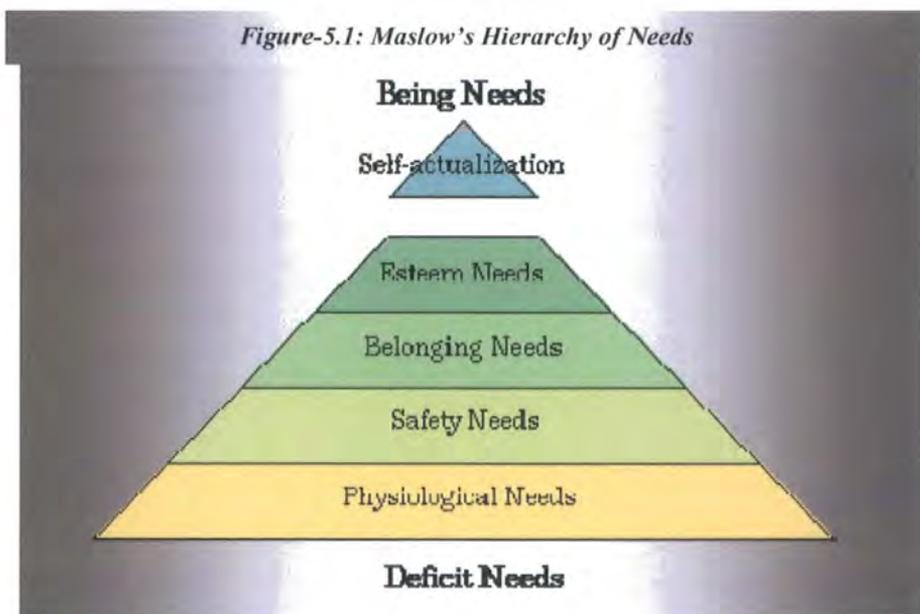
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<sup>11</sup> Abraham H. Maslow, *Motivation and Personality*, 2d ed., Harper & Row, New York, 1970 p. 38.

<sup>12</sup> Huitt, W. (2001). Motivation to learn: An overview. *Educational Psychology Interactive*. Valdosta, GA: Valdosta State University. Retrieved [date], from: <http://chiron.valdosta.edu/whuitt/col/motivation>.

Maslow felt that people are basically trustworthy, self-protecting, and self-governing. Humans tend toward growth and love. Although there is a continuous cycle of human wars, murder, deceit, etc., he believed that violence is not what human nature is meant to be like. Violence and other evils occur when human needs are dissatisfied. In other words, people who are deprived of lower needs such as safety may defend themselves by violent means. He did not believe that humans are violent because they enjoy violence, or that they lie, cheat, and steal because they enjoy doing it.

In to Maslow's theory, there are four types of needs that must be satisfied before a person can act unselfishly. Maslow drew his famous Hierarchy of Needs Pyramid in the late 1960s. This pyramid is shown in Figure.5.1 below. As illustrated, the needs are arranged in a hierarchical order. The upward climb is made by satisfying one set of needs at a time. The most basic drives are physiological. After that come the need for safety, then the desire for love, and then the quest for esteem and lastly the needs for self-actualisation. We are driven to satisfy the lower needs, but we are drawn to meet the higher ones.<sup>13</sup>



<sup>13</sup> Abraham H. Maslow, "A Theory of Human Motivation," *Psychological Review*, Vol. 50, 1943, pp. 370-396.

### Physiological (Body) Needs

Physiological needs are the very basic needs such as air, water, food, sleep, sex, freedom of movement, etc. When these are not satisfied we may feel sickness, irritation, pain, discomfort, etc. These needs can be very strong because if deprived over time, the person will die. These feelings motivate us to alleviate them as soon as possible to establish homeostasis. Once they are fulfilled, we may think about other things.<sup>14</sup>

### Safety (Security) Needs

When the physiological needs are largely taken care of, this second layer of needs comes into play. Safety needs have to do with establishing stability and consistency in a chaotic world. These needs are mostly psychological in nature. Here people need the security of a home and family and living in a safe area away from threats. However, if a family is dysfunctional, i.e., an abusive husband, the wife cannot move to the next level because she is constantly concerned for her safety. Love and belongingness have to wait until she is no longer cringing in fear. Many people in different society cry out for law and order because they do not feel safe enough to go for a walk in their neighbourhood.<sup>15</sup> Many people, particularly those in the inner cities, unfortunately, are stuck at this level. In addition, safety needs sometimes motivate people to be religious. Religions comfort us with the promise of a safe secure place after we die and leave the insecurity of this world.<sup>16</sup> Maslow also placed religious inclination on the safety layer because he saw that tendency as an attempt to bring about an ordered universe with no nasty shocks.<sup>17</sup>

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<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> Keith Miller, *Religious application: The Becomers*, Word, Waco, Tex., 1973, p. 89-109.

<sup>17</sup> Maslow, 1943, pp. 370-396.

### Social (Love and Belongingness) Needs

When physiological needs and safety needs are, by and large, taken care of, a third layer starts to show up. Love and belongingness become necessity. You begin to feel the need for friends, a sweetheart, children; affectionate relationships in general, even a sense of community. Humans have a desire to belong to groups: clubs, work groups, religious groups, family, gangs, etc. We need to feel loved and appreciated and to be accepted by others. Performers appreciate applause. We need to be needed.<sup>18</sup>

### Esteem (Ego) Needs

The Ego needs focus on our need for self-respect, and respect from others. Maslow noted two versions of esteem needs, a lower one, and a higher one.<sup>19</sup> The lower one is the need for the respect of others, the need for status, fame, glory, recognition, attention, reputation, appreciation, dignity, even dominance. The higher form involves the need for self-respect, including such feelings as confidence, competence, achievement, mastery, independence, and freedom.<sup>20</sup> Note that this is the “higher” form because, unlike the respect of others, once you have self-respect, it is a lot harder to lose. However, wanting admiration has to do with the need for power. People, who have all of their lower needs satisfied, often drive very expensive cars because doing so raises their level of esteem.<sup>21</sup>

### Self-Actualisation (Fulfilment) Needs

The last level is a bit different. Maslow has used a variety of terms to refer to this level: He has called it *growth motivation* (in contrast to deficit motivation), *being needs*, and *self-actualisation*.<sup>22</sup> Self-Actualisation Needs such as purpose, personal growth and realisation of potentials, the point where people become fully functional, acting purely on their own volition

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<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

and having a healthy personality. *These are needs that do not involve balance or homeostasis. Once engaged, they continue to be felt. In fact, they are likely to become stronger as we "feed" them. They involve the continuous desire to fulfil potentials, to "be all that you can be." They are a matter of becoming the most complete, the fullest, "you" - hence the term, self-actualisation.*<sup>23</sup>

People on this level work at something very precious, call it a vocation or calling in the old priestly sense. These people are very fine, healthy, strong, wise, and creative. Maslow described the need for self-actualisation as *"the desire to become more and more what one is, to become everything that one is capable of becoming"*<sup>24</sup> People who have everything can maximise their potential. They can seek knowledge, peace, experiences, self-fulfilment, and oneness with God, etc.<sup>25</sup>

#### **1.4 THE PARAMETERS OF THE STUDY**

This study seeks to offer analytical, descriptive, and prescriptive methodologies to the subject matter. These will be applied accordingly to Bahrain's reform process, in selected areas, within the time frame from March 1999 to the end of 2005. This period is commensurate with the onset of King Hamad's succession to the throne and the bulk of his liberalisation reforms actually being unveiled.

In terms of the specifics of what this study will examine, the following broad themes will be included:

- Political and legislative: This includes parliamentary and municipal restructuring; constitutional reform; changes to ministerial structure; the executive structure, and the activities of NGOs.

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<sup>23</sup> Critique: Daniel Yankelovich, "Stepping off Maslow's Escalator," in *New Rules: Searching for Self-Fulfillment in a World Turned Upside Down*, Random House, New York, 1981, pp. 234-243.

<sup>24</sup> Abraham Maslow, "A Theory of Human Motivation," *Psychological Review*, Vol. 50, 1943, p. 382.

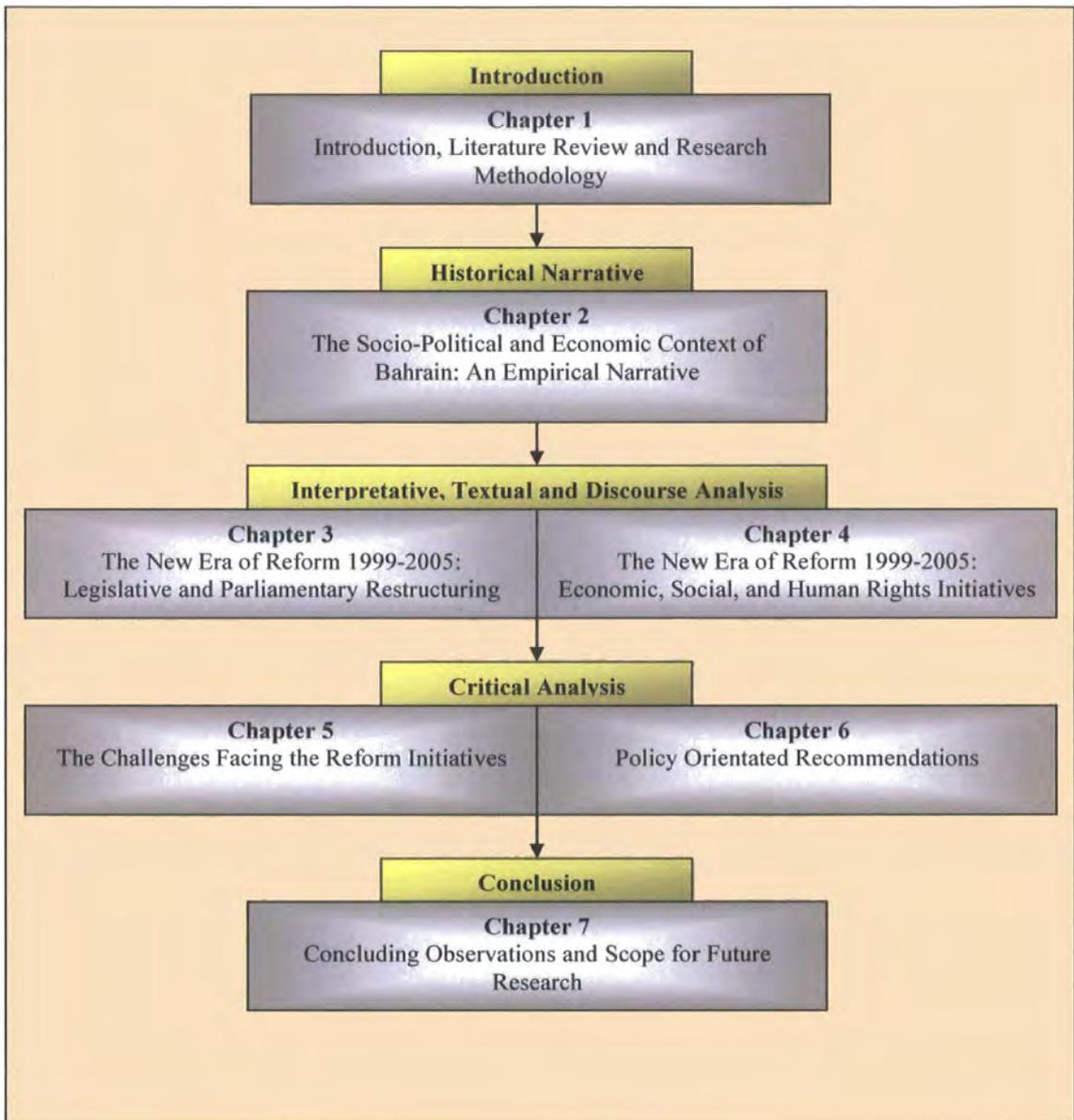
<sup>25</sup> Frank Goble, "The Third Force," Grossman, New York, 1970, p. 14.

- Legal reform: Changes to the judiciary; independence; the courts system; and the laws governing state and society.
- Social sphere: The role and rights of women; land reform, unemployment, education and training; social welfare programmes; initiatives and royal gesturers; labour market reforms; national identity and citizenship, and the establishment of a Grievance Court.
- Human rights initiatives: Protection of rights; freedom of speech; press and the right to protest; the State Security Laws, citizenship and extension of legal rights towards international human rights conventions.
- Economic development: Financial and administrative oversights bodies; and the Economic Development Board.

## **1.5 THE ORGANISATION OF THE STUDY**

The thesis is arranged in seven chapters. In accordance with the methodological framework and objectives of the thesis, there will be four substantive chapters and one contextual chapter. The substantive element of the thesis will aim to analyse the reform through adopting the interpretative textual and discourse analysis. This will allow for a clear identification of the fundamental departure from the past that has occurred in this unique period in Bahrain's history. This will then be followed by a critical analysis section which will seek to evaluate the reforms by indentifying the challenges inherent in the programme. This will then be supported by a subsequent chapter which will seek to offer some policy orientated recommendations. Finally, the thesis will offer a concluding chapter which will seek to revisit the thesis. For a clear depiction of the structure of the thesis, see Figure 1.1.

Figure 1.1: Structure of thesis



## 1.6 THE SOURCES OF DATA

As this study utilises a critical discourse analysis, the sources that it will draw from are wide ranging. The focus will be on drawing from primary data and the sources will include: speeches, discussions in the *Majlis*, governmental and non-governmental reports, press briefings, semi-interviews, election data, and official statistics. Secondary data such as journal and newspaper articles will also be

employed where relevant. In addition to these sources, the author was able to draw from a number of conferences and seminars where the issues pertaining to the thesis came under the spotlight. Nevertheless, a key limitation is that this thesis was not able to draw from classified governmental material which could provide for a more valid interpretation of the King's reforms. This was compounded by a general lack of journal articles or books on the topic thus necessitating a reliance on primary material. Whilst this leaves scope for future research on this area, the following section will outline the contribution this study makes to the existing scholarship and the limitations of research.

### **1.7 LIMITATION OF THE RESEARCH**

In the first instance, the subject of the thesis is a recent occurrence which has unfolded during the writing of this study. In fact, the reforms and their impact is a long-term process which at the time of writing continues to take place. Therefore, it is recognised that this study is unable to offer the degree of validity that a more long-term retrospective study can claim. However, this does not detract from the originality of the thesis as it is the first major investigation into this new era for Bahrain.

A second epistemological limitation concerns the ontology of the author of this thesis. As the author is a senior Bahraini government official, certain methodological issues arise from this. On the one hand, the author was under clear legal constraints for this thesis as classified information known to the author could not be incorporated into the analysis in order to support the argument and conclusions drawn.

On the other hand, the findings from semi-interviews suffered from a poor response rate given the unwillingness of key opposition figures and commentators to cooperate with the author knowing his background as a government official. Whilst this is a methodological limitation on the validity of the findings from the semi-interviews, it should be recognised that this was only a small aspect of the data used

to evaluate the reforms and enrich the thesis. Indeed, this would therefore be an ideal area for future research in which scholars can undertake such detailed interviews to test the robustness of the findings made in this thesis.

### **1.8 CONTRIBUTION OF THE STUDY**

This study applies an interpretative textual and critical discourse analysis methodology towards the reform process in Bahrain during the time frame 1999-2005. It is the first study to conduct this form of analysis on Bahrain within this key time frame of the initial period after the beginning of the reform programme by King Hamad. It is also original in that it offers policy relevant recommendations on what should be done in the future to make the realisation of the reformist vision actually being achieved.

The overall significance of this study, however, is that it fills a unique void in the literature on Bahrain's 'second wave' of reforms post-1999. With the absence of detailed qualitative research on this important topic, the thesis ultimately seeks to serve as a stepping stone from which future scholarship and debate on Bahrain's political path can be based. This is compounded in that the author is an elite decision-maker who is participating and playing a role in implementing the reformist programme. Therefore, the thesis offers a unique perspective to academic scholarship on Bahrain by providing a perspective of actual policy formation and delivery. Moreover, a further contribution is that it will also serve to add to the existing literature on regional politics in the GCC and so has wider currency in academic scholarship than simply a country specific case study. Combined together, these factors allow the thesis to offer a genuine and rich contribution to knowledge and scholarship in the field of enquiry.

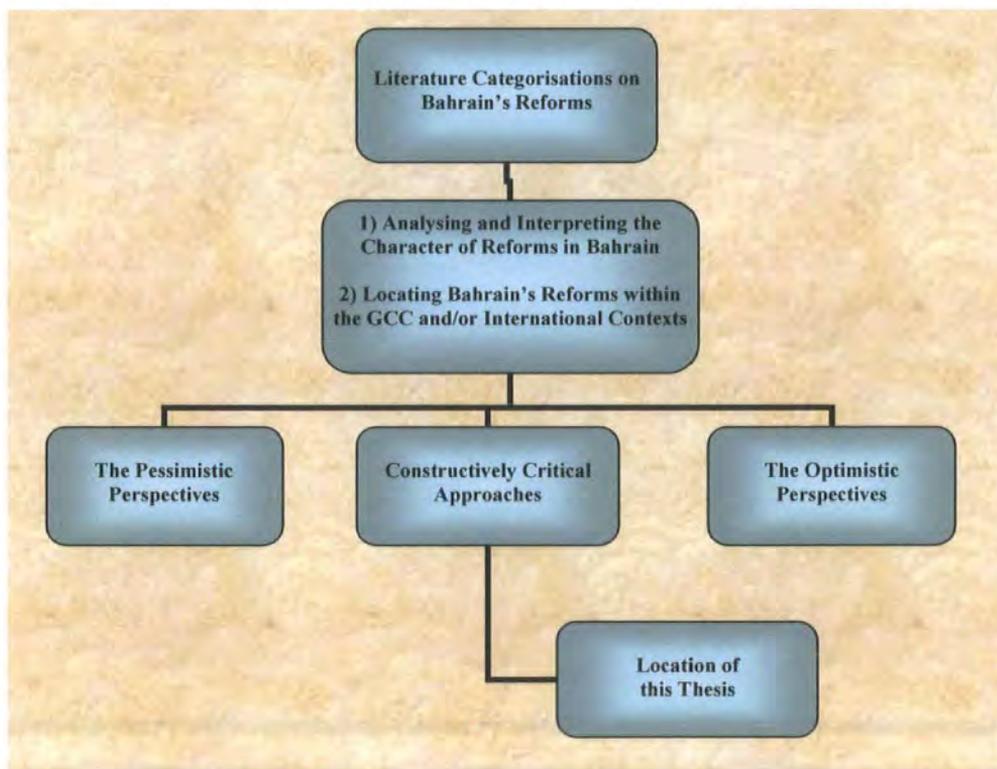
### **1.9 LITERATURE REVIEW**

The subject matter of the reforms in Bahrain from 1999-2005 has received scant debate within the academic context. Whilst coverage has mainly occurred through newspaper articles, it is noticeable that few books, journal articles, or even non-

governmental reports have been published on the topic. This thesis seeks to bridge this wide gulf through its detailed qualitative approach. Therefore, it is appropriate here to provide a review of the limited texts within the academic setting on this topic so a proper understanding of where this thesis is located and its overall importance to scholarship in this field can be made.

When examining the texts on this subject, it is helpful that their arguments and findings fall within three broad categorisations. The first are those that offer an uncritical and optimistic assessment of the reforms thus far. The second can be understood as being pessimistic about the nature and future application of the reforms. Here it is noticeable that such authors commonly tout a sceptical opinion on the origins and substance of the King Hamad's liberalisation programme. Finally, there is a more balanced conception whereby the reforms are considered in a positive light and a constructively critical analysis is offered to ideally see reform progress yet further. Figures 1.2 below illustrate these categorisations.

*Figure 1.2: Categories of Literature on Bahrain's Reforms 1999-2005*



### 1.9.1 The Optimistic Perspective

Naturally, King Hamad is the most optimistic figure towards his liberalisation programme.

*The fact is that I relied above all on Almighty God, and then on my confidence in the awareness, civilised attitude and political maturity of the people of Bahrain. I personally made a decision that entailed a historic responsibility by holding a free referendum in order to release the country from a bottleneck. It was an unprecedented referendum in our political history and the hesitation and apprehension towards it persisted until the last moments.*<sup>26</sup>

The King therefore shows a confidence that his people can fulfil the challenges brought by the new changes. Such reforms have been largely welcomed by the international community and President Bush and Prime Minister Blair in particular. Adding to this, leading human rights organisations and journalists have also given a positive assessment over Bahrain's transition and consider it to be a role model for developing countries.<sup>27</sup> President Bush's invitation for the King to attend the Group of Eight (G8) summit of the world's major industrial nations, which was held on 8 June 2004 in Georgia, USA, to highlight his reformist vision, was an excellent indication of how the international community perceives Bahrain's evolution into modernity.

The Gulf Centre for Strategic Study (GCSS) is symbolic of those NGOs which hold an optimistic perception of the reforms in Bahrain. The Centre has published articles and books which underscore this interpretation of the new reforms.<sup>28</sup> Glada Lahan offered a positive analysis about the reforms in her book "*Democratic*

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<sup>26</sup> King Hamad Al Khalifa, "*Talks on National Awareness: First Talk*," All Bahrain's Official Newspapers, Wednesday 9 February 2005.

<sup>27</sup> President Bush in his speech at the 20<sup>th</sup> anniversary of the National Endowment for Democracy in 6 November 2003 addressed Bahrain reform as a positive step forward.

<sup>28</sup> See the Gulf Centre for Strategic Studies on [http://www.gcss.org.bh/index\\_english.htm](http://www.gcss.org.bh/index_english.htm).

*Transition in Bahrain: a Model for the Arab World.*<sup>29</sup> Here she says that the reforms were a genuine break from the past. Moreover, Omer Al Hassan, Head of the GCSS, has devoted the research efforts of the Centre to understanding and evaluating the reforms in Bahrain.<sup>30</sup> The centre devoted itself to monitor the process of the reform and provide several constructive critical reports to the Executive branch and the legislative one too. Here Al Hassan has been a leading commentator in offering detailed discussion on the character of the reforms, but has fallen short of offering any critical interpretation on what the new reforms should be understood. Therefore questions still exist as to how the reforms can be conceptualised in terms of their origins, nature, and future course.

### 1.9.2 The Pessimistic Perspective

Most of the opposition activists were very pessimistic about King Hamad's liberalisation initiative. Ebrahim Sharif Alsayed, Head of Bahrain's National Democratic Action Society, argues that the King's reforms are superficial as they fail to tackle the major problem of land misappropriation. He gave a presentation on this entitled "*Bahrain: State-Sponsored Corruption*" on 25 August 2005 in London and also on 7 September 2005 in *Jameiat Al Amal Al Watani* (National Democratic Action Society). He said; "Three decades of absolute rule resulted virtually all public lands misappropriated."<sup>31</sup> In 1974, the parliament tried to pass legislation that regulates the distribution of state land, but the government objected and defeated it.

A further driver of pessimistic assessments on the new reforms in Bahrain centred on their perceived ineffectiveness against poverty. Here the United Nations Development Report of 2003 prompted political controversy by finding that the steps and initiatives taken by the government to alleviate poverty were largely

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<sup>29</sup> Glada Lahan, "*Democratic Transition in Bahrain: A Model for the Arab World*," Gulf Centre for Strategic Studies, London, 2004.

<sup>30</sup> Omar Al Hassan, "*The Kingdom of Bahrain in 2002*," Gulf Centre for Strategic Studies, London, 2003.

<sup>31</sup> Ebrahim Sharif Alsayed, "*Bahrain: State-Sponsored Corruption*," Jameiat Al Amal Al Watani, Seminar Handout, Bahrain, 7 September 2005.

ineffective.<sup>32</sup> Poverty was described as a vital issue which was increasing. The measurements undertaken were thus largely piecemeal. Scott Waalkes picked up on this by writing that the real test of any policy change is whether it can provide more jobs, give families a livelihood, and allow them to live in peace whilst seeing the true fruits of their labour.<sup>33</sup>

A key report, authored by McKinsey, related to such social benchmarks of the new reforms concerns employment. Some 100,000 Bahrainis will enter the job market over a decade as compared to 2002 statistics.<sup>34</sup> This is a virtual doubling of the labour market pool. The McKinsey report, sponsored by Bahrain's Economic Development Board, concluded that the demographic factors coupled with even the most optimistic economic development projections, highlighted that the unemployment rate would rise to upwards of 30% by 2012.<sup>35</sup> This underscores that even within the Bahraini government there is a degree of pessimism as to whether Bahrain's economy can fulfil the objective of the reforms without experiencing the grave social cost brought through high unemployment. Of course such a situation would potentially pose national security issues.

There is a wonderful passage which captures the spirit of these problems in Bahrain, quoted by Noble Prize novelist Naguib Mahfouz. He talks about a typical Muslim struggling with the paradoxes, generated daily by a long-term historical secularisation process, glimpsed only intermittently:<sup>36</sup>

*He leads a contemporary (i.e., "modern") life. He obeys civil and penal laws of Western origin, is involved in complex tangle of social and economic transactions, and is never certain to what extent these agree with or contradict his Islamic creed. Life carries him along in its*

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<sup>32</sup> United Nations Development Programme (UNDP), "The Arab Human Development Report 2003," National Press, Amman, Jordan, 2004.

<sup>33</sup> Scott Waalkes, "Reflections on Bahrain," Malone College, 16 January 2005, [www.malone.edu](http://www.malone.edu).

<sup>34</sup> William Wallis, "Jobless Corner of Bahrain a Far Cry from Glossy Malls," The Financial Time, 25 November 2004.

<sup>35</sup> Bahrain Economic Development Board, "Reforming Bahrain's Labour Market," BEDB, 2004, Bahrain.

<sup>36</sup> Scott Waalkes, "Reflections on Bahrain."

*current and forgets his misgivings for a time until one Friday he hears the Imam or reads the religious page in one of the papers, and the old misgivings come back with a certain fear. He realises that in this new society he has been afflicted with a split personality: half of him believes, prays, fasts, and makes the pilgrimage. The other half renders his values void in banks and courts and in the streets, even in the cinemas and theatres, perhaps even at home among his family before the television set.*<sup>37</sup>

The regimes' problem is that whatever they are willing to concede (or can afford to concede) is almost bound to be too little and too late.<sup>38</sup> Both Abbas Murtada and Abdulrahman Al Noami argue that the structure of the reforms is directed towards benefiting the ruling tribe rather than the people of Bahrain.<sup>39</sup> They go onto interpret the character of the reforms as misleading given their view on the King's motives. Here they specifically cite the failure of the amended Constitution of 2002 to reflect the undertakings given by the King in the National Action Charter. They see the reforms as not having gone far enough in that they fail to address the issue of both chambers of the *Majlis al Watani* (National Assembly) being fully elected. Indeed the Constitution stipulated that the *Majlis al Shura* (Consultative Council) was to be appointed rather than elected. Given this, such members of the opposition argued that the powers of the King were unchecked and thus there was little substance to the reforms. Such views have currency as the majority of the opposition boycotted the historic elections in October 2002.

A further key interpretation has been offered by Gerd Nonneman. He argues persuasively that the actual character of the reforms within the GCC should be

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<sup>37</sup> Ibid.

<sup>38</sup> Abbas Murtada, "Cosmetic Reforms Unlikely to Change Realities of Despotism in Bahrain," Muslim Media, Bahrain, 16-31 January 2001.

<sup>39</sup> Abdulrahman M. Al Noami, "Al Bahrain: Al Azma Al Distoria," Dar Al Konooz Al Adbia, Beirut, Lebanon, 2004.

viewed as a form of controlled liberalisation rather than actual democratisation.<sup>40</sup> The importance of his argument should not be underestimated as it implies that the real reasons as to why Bahrain is changing under King Hamad are not based on achieving a democratic polity. However, a weakness in Nonneman's conjecture is that it infers that democracy is not the actual goal but in fact it is national stability and regime survival. This is an important point but, Steven Wright offers a contrasting view in that he argues one cannot discount the view that actual liberalisation maybe, and indeed is likely to be, a prior stage in actual democratisation.<sup>41</sup> Therefore, it would not be valid to discount statements made by the King of Bahrain that his desire is for a democratic Bahrain under the auspices of a constitutional monarchical system. Nevertheless, the distinction between liberalisation and democratisation are key terms which will be applied to this thesis.

### 1.9.3 Constructively Critical Approach

Whilst both of the other broad perspectives represented the views of certain cohorts, the majority of interpretations centred on what can be described as a constructively critical approach. In this regard, Anoush Ehteshami argues that in the case of Bahrain the reform should, in the first instance, be understood as elite driven. He writes:

*In this case, the leader is himself the revolutionary agent, rather than the protector of the status quo and of the so-called 'conservative values'. In this regard at least, the Bahraini experience defies the conventional wisdom about the role of Gulf leaders in their national politics.*<sup>42</sup>

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<sup>40</sup> Gerd Nonneman, "Political Reform in the Gulf Monarchies: From Liberalisation to Democratisation? A comparative Perspective," Sir William Luce Fellowship Paper No. 6, Durham Middle East Paper No. 80, Institute for Middle Eastern and Islamic Studies, Durham, UK, June 2006.

<sup>41</sup> Steven Wright, "Generational Change and Elite-Driven Reforms in the Kingdom of Bahrain," Sir William Luce Fellowship Paper No. 7, Durham Middle East Paper No. 81, Institute for Middle Eastern and Islamic Studies, Durham, UK, June 2006.

<sup>42</sup> Anoushiravan Ehteshami, "Reform from above: the politics of participation in the oil monarchies," International Affairs Volume 79, Number 1, January 2003.

Ehteshami moves onto recognising that whilst the new reform is progressive in substance and an example for the other GCC countries, he argues that the motives behind the reforms are pragmatic in that it seeks to counter the causes of instability in the 1990s.<sup>43</sup> Therefore, he implicitly recognises that the reforms face a tension between countering the roots of instability against challenging the traditional position of the ruling tribe.

One of the main opposition figures, the President of Bahrain's Islamic National Accord Association (*al Wafaq*), Sheikh Ali Salman, has underlined that although the government has implemented substantial reforms in correcting what he views as injustices of the past, further reform is still needed. He argues that in order for a true break from the past to occur and for the reforms to fulfil the pledges made by the King, further legislative and parliamentary reform will be needed. Ali Salman stresses two key factors: Firstly, that both chambers of parliament need to be elected in order for sovereignty to lie with the people. Secondly, he argues that the government is inherently corrupt and that this needs to be countered in tandem with the reforms unveiled by the King. Without such measures being undertaken, Ali Salman argues that the reforms will not be meaningful and overcome sectarian rivalry. He comments that "*we are proposing gradual change, which we hope will eventually lead to the development of the political system . . . I am not calling for a Shia state in Bahrain. I am calling for an Arab Islamic state.*"<sup>44</sup>

A similar perspective is echoed by Toby Jones, formerly of the International Crisis Group, who argues that whilst progress has been achieved through the reforms of King Hamad, they ultimately fail to fulfil the need to develop a fully constitutional monarchy. He offers a series of suggestions but most importantly says that the government should move towards reforming the Consultative Council in line with

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<sup>43</sup> Ibid.

<sup>44</sup> Ali Salman, Interview in *Al-Mushahid Al-Siyasi*, London, reprinted in *Middle East Mirror*, London, 14 October 1997.

the demands articulated by Ali Salman.<sup>45</sup> Moreover he goes on to argue that such reform is pressing:

*Ultimately, for the Bahraini government to do nothing or, worse, return to older modes of authoritarian and police action, would likely lead to further escalation. The current situation is inherently unstable, and recent events suggest change is on its way: if not through accelerated reform then, unhappily, by a return to violence.*<sup>46</sup>

The manner in which Jones suggests these underlying sectarian challenges should be countered is through granting more rights and equality to the Shia community. In contrast, Steven Wright highlights that such a position would not actually aid the prospects for future reform unless the opposition understand the character of the reforms and change tactics accordingly.<sup>47</sup> He argues that Bahrain is experiencing a new era of reform which is positive and is elite driven and a product of generational change. The opposition therefore is charged with having failed to understand that they are not driving the reforms and their increasingly vocal demands is actually stagnating the reform process through undermining the position of reformers such as the King. He concludes that the opposition need to act in a mature fashion whereby they support the King rather than challenge him as without doing so he will be unable to overcome the more conservative factions within the government and reform is thus likely to be stagnant.

Others look at the more social aspects by highlighting the government has been unable to address the needs of the lower and middle classes. Here reducing unemployment, transparency, and human rights whilst also improving the provision of social services is seen to be the key issues which the reforms are seen to be wanting in this regard. Such issues are notably highlighted by Nadeya Sayed Ali Mohammed as she sees such issues as key to providing for stability within the

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<sup>45</sup> International Crisis Group, "Bahrain's Sectarian Challenge," Middle East Report No. 40, 6 May 2005.

<sup>46</sup> Ibid.

<sup>47</sup> Steven Wright, "Generational Change and Elite-Driven Reforms in the Kingdom of Bahrain," June 2006.

country. Indeed, such factors were behind the Shia discontent which manifested itself in the form of prominent riots in 1994-98.<sup>48</sup>

### **1.10 CHAPTER SUMMARY**

This chapter has outlined a series of objectives, research questions, the methodology, and structure of this study. The methodological approach is an interpretative discourse and textual analysis which seeks to ascribe new meaning to the reforms that have taken place in Bahrain. This chapter has also shown the location of this research in the wider body of scholarship and in accordance with this has set out its contribution to the field.

The following chapter will provide a historical narrative on the socio-political and economic context of Bahrain. The purpose and relevance to the study is that it will allow the context in which the reforms have taken place to be established. Indeed, only through recognising this context can we appreciate the significance, extent, and direction the reforms have taken.

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<sup>48</sup> Nadeya Sayed Ali Mohammed, “*Political Reform in Bahrain: The Price of Stability*,” Middle East Intelligence Bulletin, Vol. 4 No. 9 September 2002.

## **Chapter II**

### **The Socio-Political and Economic Context of Bahrain: An Empirical Narrative**

## 2.0 INTRODUCTION

Although the Kingdom of Bahrain occupies a small territorial area, it has a rich history. Historically, the name 'Bahrain' identified two separate entities. On one hand, it described the region that covered the whole of Eastern Arabia (from south Al Basra in Iraq to the edge of the coast of Oman in the south). On the other hand, it describes the modern Kingdom of Bahrain. Since 1783, the Al Khalifa Dynasty, a Sunni sect, on a hereditary Arab monarchical basis, has ruled Bahrain. It declared itself fully independent from the British on 15 August 1971 with the main sects of the population being Sunni and Shia Muslim.<sup>1</sup> Bahrain is, however, been religiously diverse where alongside Sunni mosques and Shia *ma'tams* one can find Christian Churches, a Jewish Synagogue, Sikh Gurdwaras, and Buddhist and Hindu temples.<sup>2</sup>

Bahrain's small size and central location among the Arabian Gulf countries entail it to play a delicate balancing act in foreign affairs among its larger and richer neighbours. It has always acted as a bridge between East and West in trade and commerce. Bahrain's oil resources are poor in comparison with the other Gulf States.<sup>3</sup> It has diversified its economy to other fields such as petroleum processing and refining, and has transformed itself into an international banking centre.<sup>4</sup> This diversification strategy has encouraged a more mixed and open society. Bahrain is also a member of the Gulf Cooperation Council (GCC), the Arab League, the United Nations (UN), and many other organisations.<sup>5</sup>

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<sup>1</sup> Most writers indicate that the Shia comprise about 70% of the population in Bahrain; although some writers put the figure as high as 80%. In fact, there are no official published statistics that support these estimated percentages, except the census of January 1941, which showed there were 41,944 Sunni and 46,354 Shia, giving a difference of only 4410. Writers refer the present Shia majority to several factors: One is the continuation among Shia of traditional practices such as early marriage and multiple wives. Another is the importance of a large, extended family for economic and social survival. Finally, Shia are more often rural, with lower levels of education and skills. Sunnis tend to be urban and have more modern ideas about the nuclear family and birth control.

<sup>2</sup> Glada Lahan, "*Democratic Transition in Bahrain: A Model for the Arab World*," Gulf Centre for Strategic Studies, London, 2004, p. 3.

<sup>3</sup> See [www.infoplease.com/ipa/A0107313.html](http://www.infoplease.com/ipa/A0107313.html)

<sup>4</sup> Ibid.

<sup>5</sup> Bahrain is also a member of the following: UN Commission on Trade and Development, UN Educational, Scientific and Cultural Organisation, UN Industrial Development Organisation, Universal Postal Union, International Chamber of Commerce, World Federation of Trade Unions, International Finance Corporation, World Health Organisation, Organisation of the Islamic Conference, Economic and Social Committee for Western Asia, Food and Agriculture

Constitutional changes introduced by the fourteenth ruler, King Hamad bin Isa Al Khalifa; in February 2002 assign himself as head of state of a constitutional hereditary monarchy. The King governs with the support of an appointed cabinet of ministers. Most strategic decisions are taken and, approved by the new bicameral parliament, which was established in October 2002. The parliament has an elected chamber of 40 members, and an appointed chamber (*Majlis al Shura*),<sup>6</sup> of 40 members. King Hamad's liberalisation programme is trying to enhance economic, social, and political reforms. The reform has to some extent improved relations mainly with the Shia community and other sects. The King is sending the critical message that the people's voices have been heard by declaring his intention "to engage in serious and fruitful work to revive Bahrain so that it can once again catch up with the fast developments taking place in our contemporary world."<sup>7</sup>

A comprehensive appreciation of Bahrain's diversity is a necessity before Bahrain's reform process is examined in detail. Therefore, the purpose of this chapter will be to provide a detailed exposition of the unique socio-political and economic character of Bahrain from 1783.<sup>8</sup> Specifically, it will serve the objective of establishing the context in which the subject matter and focus of this thesis is located.

The following analysis will provide an examination of the historical background of Bahrain in terms of its socio-political and economic system. In this regard, several themes of relevance are to be addressed. Firstly, an overview of Bahrain's historical makeup will be provided in order to set the context for this

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Organisation, Arab Monetary Fund, International Labour Organisation, International Monetary Fund, Interpol, International Standardisation Organisation, International Telecommunications Union, Organisation for Arab Petroleum Exporting Countries, World Meteorological Organisation, International Bank of Reconstruction and Development, International Civil Aviation Organisation, Group of 77, Arab Bank for Economic Development of Africa, World Intellectual Property Organisation, International Hydrographical Organisation, International Maritime Organisation, Indian Ocean Commission, Inter-American Development Bank, Non-Aligned Movement, World Tourism Organisation, and the Organisation for Prohibition of Chemical Weapons

<sup>6</sup> *Majlis al Shura* is an Arabic term, which means Consultative Council.

<sup>7</sup> The Gulf Daily News, Bahrain, Dec. 16, 1999.

<sup>8</sup> The Al Khalifa Dynasty came to power in Bahrain in 1783. This is an appropriate date for setting the parameters of this chapter.

chapter. This will involve an account of Bahrain's demographics and will be followed by a history of the ruling Al Khalifa dynasty. Secondly, the history of Bahrain's social affairs will be discussed. This will encompass the interrelated themes of education provision and the sectarian character of civil society. Thirdly, the question of Bahrain's political evolution will receive attention through an examination of the issues of political participation, the legal system, and the foreign relations of Bahrain. Finally, an empirical account of the key economic aspects of Bahrain's development will be provided. Attention here will be geared towards the role of Bahrain's hydrocarbon resources, its foreign economic initiatives, and an overview of key public and private sector projects.

## 2.1 THE HISTORICAL CONTEXT OF BAHRAIN

Bahrain's history goes back to the roots of human civilisation as the main island is thought to have broken away from the Arabian mainland around 6000 BC and has almost certainly been inhabited since prehistoric times.<sup>9</sup> Bahrain first emerged into world history in the third millennium BC as Dilmun. Assyrian Kings repeatedly claimed sovereignty over the islands. Shortly after 600 BC, Dilmun was formally incorporated into the new Babylonian empire. There are no further historical references to Bahrain until Alexander the Great appeared in the Gulf in the fourth century BC. Although the Arab tribes of *Bani Wa'el* and Persian governors ruled Bahrain interchangeably, Bahrain continued to be known by its Greek name *Tylos* until the seventh century, when many of its inhabitants converted to Islam. For more than 100 years, various tribes and national groups attacked Bahrain until the Al Khalifa clan took control of the islands in 1783.<sup>10</sup> The Al Khalifa is the only ruling family in the Gulf to have achieved their position by conquest. As a result of its strategic location, Sumerians, Greeks, Umayyad Caliphs of Syria, the Abbasid Caliphs of Baghdad, Persians,

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<sup>9</sup> Sheikh Abdulla Bin Khalid Al Khalifa & Abdul Almalk Y. Al Hamar, "*Bahrain through the History*," Volume 1, Bahrain, 1972, p. 16.

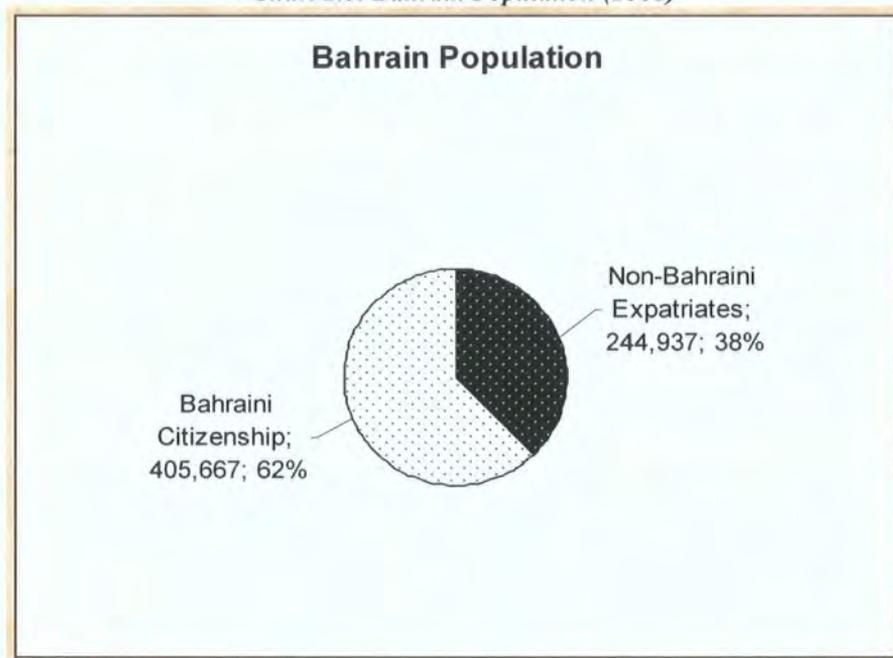
<sup>10</sup> Some historians indicated that moving from the west coast of Qatar (Al Zubara) to Bahrain was the first strategic error that Al Khalifa tribe made. The wealth between Qatar and Bahrain is now incomparable. The second error was in 1971 when Bahrain did not join the other eight states (the seven (UAE) and Qatar) to form a union of Arab Emirates. However, it should be known that at the time when Al Khalifa invaded Bahrain, water and plants were considered a greater necessity for humankind than anything else was, and enjoying their own sovereignty is worth more than any wealth.

Portuguese, Turks, Wahhabis, Omanis, British, Arab tribes and, of course, Al Khalifa all claimed control at various points during the history of Dilmun, Tylos, Awal, Bahrain and then the Kingdom of Bahrain. Bahrain has historically been a trading centre, a pearling port, and, on some occasions, a military garrison.

### 2.1.1 Demographic Overview

Bahrain is an archipelago of 33 islands with the total area being about 707 square kilometres. In 2001, it had a population of 650,604. This consisted of 405,667 native Bahrainis (62.4%) and 244,937 were non-Bahrainis (37.6%)<sup>11</sup>. See Chart 2.0 below. In July 2005, the Carnegie Endowment for International Peace estimated the population to be 688,345 (including 235,108 non-citizens).<sup>12</sup> Ethnic composition, according to 2004 World Fact book by the CIA, showed: 63% Bahraini Arab, 19% Asian, 10% other Arab, 2.5% European, and 8% Iranian.<sup>13</sup>

*Chart 2.0: Bahrain Population (2001)*



<sup>11</sup> The 2001 census of population by the Bahrain Government, Bahrain.

<sup>12</sup> Arab Political Systems: Baseline Information and Reforms – Bahrain, [www.carnegieendowment.org](http://www.carnegieendowment.org)

<sup>13</sup> World Fact Book, CIA, 2004, [www.cia.gov](http://www.cia.gov), [wifak.uni-wuerzburg.de/fact00](http://wifak.uni-wuerzburg.de/fact00)

### 2.1.2 The History of the Ruling Al Khalifa Dynasty

Most of the islands' inhabitants, in the seventh century, accepted the personal invitation of the Prophet Mohammed to convert peacefully to Islam. Bahrain flourished with the teachings of the Prophet Mohammed. His teachings of Islam through the holy Quran became the origin of Muslim religion and culture. Bahrain came under the rule of the Al Khalifa (who belong to the *Utub* tribe),<sup>14</sup> on 28 July 1783 after 180 years of Iranian control. With the assistance of the Al Sabah of Kuwait and the help of other tribes, Amir Ahmed Al-Fateh 'The Conqueror' sailed from the west coast of Qatar (*Al Zubara*) and drove the Persian garrison from Bahrain and reclaimed the Al Khalifa family's title to the islands. The availability of fresh water and vegetation, plus a significant population base, made the islands much more attractive than the Qatari peninsula.<sup>15</sup> The Al Khalifa has continued to rule Bahrain to this day, see Figure 2.0.

Through history, resources, trade, and its strategic location have made Bahrain an attractive target. The Al Khalifa has effectively and wisely dealt with external and internal threats to ensure the survival of their sovereignty over the islands. In so doing, the Al Khalifa maintained close contact with all their tribal neighbours and when threatened, they sought to manipulate the process of migration and regrouping. They even sought protection from the Shah of Persia in order to survive the Portuguese occupation during the 17<sup>th</sup> century. On other occasions, Bahrain's rulers invited the Wahhabis for protection from Omanis and later the Omanis from the Wahhabis and so on. In the 1830s, Bahrain signed the first of many treaties with Britain, which offered Bahrain naval protection from the Ottoman Empire in exchange for free access to the Gulf. This arrangement kept the British out of Bahrain's internal affairs until a series of battles within the ruling families prompted the British to install their own choice of Amir in 1869. Treaties with Britain secured Bahrain against external threats, and the subsequent accession of Amir Isa Bin Ali Al Khalifa, the tenth ruler, in 1869 marked the

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<sup>14</sup> The *Utub* represent an alliance into which several Arab tribes from the plains of *Nejd* merged subsequent to their migration. They settled down on the Arab coastlines of the Arabian Gulf.

<sup>15</sup> Jawad S. Al-Arayed, "*A Line in the Sea: The Qatar v. Bahrain Border Dispute in the World Court*," North Atlantic Books, Berkeley, CA, 2003, p. 20.

beginning of a period of stability and prosperity which was to last over half a century, see Table 2.0.

Bahrain is not an OPEC member. Although oil was discovered in the area in 1902, large-scale drilling and processing did not happen until the 1930s, which was about the time the world pearl market was collapsing. Bahrain became the first country in the Arabian Peninsula to discover oil in 1932. Oil money improved the economy and social aspects of Bahrain. It also brought the British closer: the main British naval base in the region was moved to Bahrain in 1935, and the senior British official in the Middle East followed suit in 1946. In 1971, when the British Government announced its decision to end treaty relationships with the Gulf area, Bahrain initially joined the other eight states (the seven Sheikdoms now forming the United Arab Emirates (UAE) and Qatar) under British protection in an effort to form a union of Arab Emirates. The nine countries did not come to an agreement on the terms of the union, and when Bahrain foresaw that independence from the British was inevitable, it withdrew from the grouping and became independent under the rule of Amir Isa Bin Salman Al Khalifa, the thirteenth ruler. Bahrain proclaimed its independence on 15 August 1971. The National Day (16 December 1971) is the date of independence from British Protection. Within a month the new state was recognised by Arab and other nations and diplomatic relations were established with other countries. Bahrain joined the League of Arab States, which was founded in March 1945 with the aim of protecting the independence and integrity of member states and encouraging economic, legal, and cultural cooperation, on 11 September 1971. Just ten days later, 500 guests attended a reception held in New York to celebrate its admission as the 128<sup>th</sup> member of the United Nations (UN).<sup>16</sup>

In 1972, Amir Isa Bin Salman announced that the country would have a constitutional form of government. He issued a decree providing for an elected national assembly of 30 members charged with drafting and ratifying a

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<sup>16</sup> Angela Clarke, "*Bahrain Oil and Development: 1929 – 1989*," International Research Centre for Energy and Economic Development (IRCEED), IMMEL Publishing, London, 1990, p. 229.

constitution. The relatively free elections produced a markedly independent membership, which alarmed many in the ruling Al Khalifa family. This election was the first in Bahrain's history. Given the climate of mutual suspicion between the government and opposition activists, the government introduced legislation through the assembly that would permit the government to arrest and detain political opponents for indefinite periods without trial.<sup>17</sup> When the assembly refused to approve this draft law, Amir Isa suspended the assembly in 1975 after the Prime Minister refused to work with it. Some of those subsequently arrested were ex-members of the assembly.<sup>18</sup> The Amir then governed Bahrain by decree, and through a cabinet chosen by him. This situation remained for quarter of a century. Discussions and public debate in 1979-1980 for restoration of the assembly came to naught.

The 1979 revolution in Iran raised expectations and tensions among all the Arab states and several arrests were made in Bahrain of Iranian-backed Shia whom the government accused of planning a *coup d'état*. The Iraq-Iran War (1980-1988) drove a wedge through Sunni-Shia solidarity and created Sunni suspicions of Shia throughout the Gulf.

In the 1990s, Bahrain suffered from repeated incidents of political violence, which arose from the disillusioned Shia. In response, Amir Isa instituted the first

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<sup>17</sup> The State Security Law was approved by the ruler on October 1974. It states that the Minister of Interior could order the arrest, imprisonment and searching of homes and workplaces of any person suspected of having committed acts, made statements, or engaged in activities considered to be against the internal security of the State or its religious, social and economic foundations (Article 1). It also states that any acts or statements that might cause the deterioration of relations between the people and the government, and the dissemination of "harmful" propaganda and "heretical" principles, are considered seditious. The same article gives the Interior Minister the power to take the "necessary measures to collect evidence and to conclude investigations". Suspects can be detained for up to three years without charge or trial. The period of detention can be extended at the discretion of the Minister of Interior despite the fact that Article 5 of the law states that in all cases those held must be released at the end of three years.

<sup>18</sup> Background to these events is given in Abdulrahman M. Al Noami, "*Al Bahrain: Al Azma Al Distoria*," Dar Al Konooz Al Adbia, Beirut, Lebanon, 2004; Raya Yousuf Hamza, "*Al Tajroba Al Barlamanya Al Awla Fe Al Bahrain: 1972 – 1975*," 1st ed., Kingdom of Bahrain; Al Moassa Al Arabia Ltba wa Al Nashor; J. E. Peterson, "*The Arab Gulf States: Steps Towards Political Participation*," New York, Praeger, 1988, publ. with the Centre for Strategic and International Studies, Washington Papers, No. 131; Fuad I. Khuri, "*Tribe and State in Bahrain: The Transformation of Social and Political Authority in an Arab State*," University of Chicago, IL publisher, 1980; Emile A. Nakhleh, "*Bahrain: Political Development in a Modernizing Society*," Toronto, Lexington Books, 1983.

Bahraini cabinet change in 20 years in 1995, and increased the size of the Consultative Council, which he created in 1993, from 30 appointed members to 40. The Consultative Council was established to provide advice and opinion on legislation proposed by the cabinet and, in certain cases, to propose new laws.<sup>19</sup> These steps led to an initial decline in violent incidents, but in early 1996 Shia factions again demonstrated, and called for more political participation and measures to address the unemployment problem. Street clashes periodically paralysed the country, and a number of five-star hotels, banks, international offices and restaurants were firebombed, resulting in several fatalities. Many Western firms relocated their Gulf headquarters to the more peaceful setting of Dubai. Under the government's Security Law, which had been rejected by the 1973 National Assembly and enacted via Amiri decree, over 1000 people were arrested and held in detention without trial in connection with these political disturbances.

There was a great deal of public sympathy, which crosscut sectarian lines, for those individuals arrested. All sections of Bahrain's society shared the goals of an expansion of employment opportunities, the call for serious reform by the government, and a restoration of the elected National Assembly. The government, on the other hand, tackled the outbreaks of violence in the 1990s through a reliance on intimidation, power, and repression by the armed forces to keep full control of the situation while waiting for the opposition to run out of steam.<sup>20</sup> It was therefore a clear case of repressing the problem rather than countering its actual causes.

The situation changed after King Hamad bin Isa Al Khalifa succeeded to the throne in March 1999 after the sudden death of his father. He championed a programme of political participation and liberalisation shortly after his succession. In November 2000, the new King established a committee to create

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<sup>19</sup> Most Bahrainis viewed this step as inadequate and even insulting, given that Bahrain once had a totally elected, though short-lived, legislature.

<sup>20</sup> On the 1994-1999 unrest, see Munira Fakhro, "The Uprising in Bahrain: An Assessment," in Gary G. Sick and Lawrence G. Potter, eds., "The Persian Gulf at the Millennium: Essays in Politics, Economy, Security, and Religion," New York, St. Martin's Press, 1997, p. 167-188, and Joe Stork, "Bahrain's Crisis Worsens," Middle East Report, No. 204, 1997, p. 33-35.

blueprint transformations in Bahrain from that of a hereditary state to a constitutional monarchy. The resulting “National Action Charter” was presented to the Bahraini public in a referendum in February 2001. It was the first public vote in Bahrain since 1972 and, for the first time, women had the right to both vote and stand as candidates. At the same time, all political prisoners were freed; all exiles were officially allowed to return to the country; and the security laws and the Security Court that allowed police to hold prisoners without charge for up to three years were abolished. On 14 February 2002, King Hamad proclaimed Bahrain as a constitutional monarchy and changed his constitutional status from Amir to become the first King in the history of Bahrain. On 9 May 2002, the first municipal elections since 1957 took place, followed by the parliamentary elections on 24 October 2002. Further details on the new reforms will be elaborated in the following chapter.

### 2.1.3 Profile of King Hamad

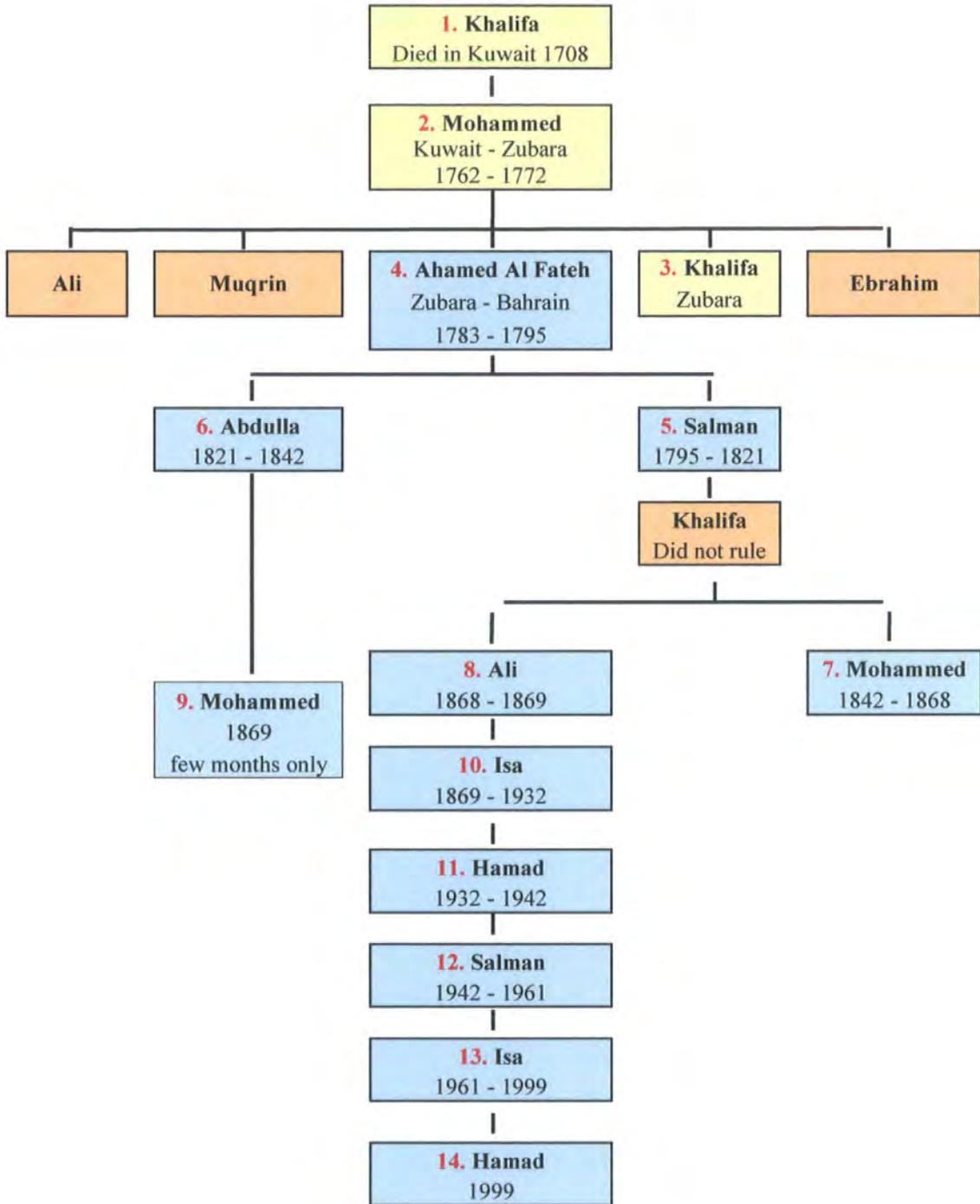
Given the importance of the role of King Hamad as the architect of the radical new era of reform in Bahrain, it is only appropriate to provide some observations on the background of this key figure. The following will provide a biographical overview of his formative years, which will be drawn on in chapter three where his character will be identified and analysed within the context of his vision for a reformed and modernised Bahrain.

King Hamad bin Isa Al Khalifa is the eldest son of the late Amir of Bahrain. The King was born in Riffa on 28 January 1950. At the age of six, he began his primary education in Bahrain in addition to reciting the Holy Quran and studying the principles of Islam and the Arabic language at the hands of professionals in the field of Islamic studies. This education had a positive impact on his mastering of Arabic and his appreciation of Arabic poetry. He was keen on attending the *Majlis* (open court sessions with the people) of his late father where he listened attentively to traditional stories and legends about heroes, nations, incidents and factors that contributed to victory or resulted in defeat. He also expressed keenness on learning swimming, horse riding, and target shooting from expert trainers, which had a major influence in planting the seeds of his

interest in sports and his patronage of sportsmen. Following the completion of his primary education, Hamad was proclaimed Crown Prince on 27 June 1964. He completed his secondary schooling at Leys Public School in Cambridge, England, before returning to Bahrain in the summer of 1967. He then joined the Mons Officer Cadet School at Aldershot, England, from which he graduated on 14 September 1968. He also studied at Sandhurst Academy. On his return, Crown Prince Hamad played an active role in preparing the outline of the Bahrain Defence Force (BDF) that was created by an Amiri Charter issued in August 1968. He married his cousin Sheikha Sabeeka bint Ibrahim Al Khalifa on 9 October 1968, a union that bore: Sheikh Salman on 21 October 1969, Sheikh Abdullah on 30 June 1975, Sheikh Khalifa on 4 June 1977, and Sheikha Najla on 20 May 1981.

Crown Prince Hamad was appointed Head of the Defence Directorate and became a member of the State Council, which was established on 19 January 1970. He became Minister of Defence on 15 August 1971. On 21 June 1972, he joined the US Army Command and Staff College at Fort Leavenworth, Kansas. He was awarded the Freedom Medal of Kansas City. He attained a National Diploma in military administration on 31 May 1972, from the Industrial College for the Military Forces in Washington. On 9 June 1973, he graduated with honours from Fort Leavenworth with a degree in leadership. He was awarded the military honour certificate from USA for his achievements in military affairs since 1968 and his name was enlisted in the college's lieutenant honours list. On his return from the US, he took active part in Bahrain's development and expansion process in general and the BDF in particular. His efforts covered various fields including culture, sports, military, and technological and health sciences. On 26 June 1974, he was appointed deputy to the Head of the Al Khalifa Family Council following an Amiri decree issued in this context. In January 1978, he ordered the establishment of the Historical Documents Centre, which he housed in his Court. This had a great impact in the development of the Centre. His interest in sports and the youth was enhanced by his appointment as President of the Supreme Council of Youth and Sports in 1975.

Figure 2.0: The Ancestry of Al Khalifa



Source: *First Light: Modern Bahrain and its Heritage*, Hamad Bin Isa Al Khalifa, 1994

**Table 2.0: The History of the Kingdom**

3 <sup>rd</sup> millennium BCE	Bahrain is known as the commercial town of Dilmun, which is part of Sumer.
4 <sup>th</sup> Century CE	Occupied by the Persian Sassanid Empire. Bahrain is turned into a Christian Nestorian hold.
8 <sup>th</sup> Century	Conquered by the Abbasids, and becomes from this time as part of the Caliphate. A process of conversion to Islam starts in the population.
1521	Portuguese rule. At this time Bahrain is a centre of trading.
1602	Persians drives the Portuguese away.
1783	Al Khalifa family takes control and drives the Persians out. For a period, Bahrain is an independent Emirate.
1820	Treaty between Britain and Bahrain is signed after British pressure.
1861	Second treaty is signed, and Bahrain becomes a British protectorate. British takes control over the external affairs, and gets exclusive rights on trade.
1932	Oil is discovered, and national assertion becomes stronger.
1934	British naval base established.
1968	British forces withdraw from the Gulf region.
1970	Council of state established.
15 August 1971	Bahrain gained independence from the UK.
16 December 1971	Bahrain National Day (the date of independence from British Protection).
1971	Bahrain becomes a member of the United Nations.
December 1973	Elections are held for a National Assembly, an advisory legislative body, with 44 members (14 cabinet members and 30 elected by male voters).
August 1975	The National Assembly is dissolved.
1978	Oil industry partly nationalised.
1979	With the Iranian revolution, pro-Iranian groups begin to protest against the government, and Iran expresses its claim on Bahrain.
March 1981	Bahrain joined the GCC.
April 1986	Qatari troops occupy <i>Fasht al-Dibal</i> Island and try to do the same in Hawar Islands but withdraw in June after mediation by Saudi Arabia.
December 1986	A causeway between Bahrain and Saudi Arabia opens.
1991	The International Court of Justice began in 1991 looking over the Qatar & Bahrain's border dispute and ended with the final decision on 16 March 2001.
December 1992	The government appointed a 30 member Consultative Council and increased to 40 by September 1996.
1993 – 1998	Shia protests against the government.
6 March 1999	Amir Isa Bin Salman Al Khalifa died at the age of 65 and King Hamad Bin Isa Al Khalifa ascended to the throne in a smooth transition. On March 9, King Hamad's son, Sheikh Salman, becomes Crown Prince.
1999	The new reform by King Hamad Bin Isa Al Khalifa.
September 2000	The King appoints non-Muslims to the Consultative Council, including 4 women – one of whom is a Christian – and a Jewish businessman.
Feb 2001	The National Action Charter approved and voted overwhelmingly (98.4%).
Feb 2002	The amended Constitution of the Kingdom.
May 2002	Municipal elections took place, the first since 1957. The turn out was 51%. For the first time women vote and stand as candidates but fail to win a seat.
October 2002	Parliamentary elections took place. The turn out was 53.4% despite calls by some parties for a boycott.

\* The information are derived from different sources; Encyclopaedia of the orient, the world fact book, BBC News (country profiles), The Emirates Centre for Strategic Studies and Research, Bahrain Government, and Gulf Centre for Strategic Studies.

## 2.2 STRUCTURE OF BAHRAIN'S SOCIETY

Many observers are misled by the idea that most GCC countries are the same in relation to their traditions in which social relations are determined by tribal or religious factors. Richard Lawless indicated that Gulf Arab societies may appear similar, but they should not be treated as though they were a homogeneous entity. On closer examination, as he describes, one is struck by their diversity.<sup>21</sup> Although there are some similarities, Bahrain's society is distinguished by the way in which cleavages based on ethnicity, class position, and national origin overlap to produce a matrix of social relations unique to the islands in particular and to the region in general. The Kingdom has already gone through many of the stages, from nomadic to village to city life, necessary for a transition to modernity. Bahrain society is small but sophisticated to the extent that it is difficult to exemplify.

There is no doubt that throughout the history of Bahrain, all empires that inhabited the islands have transferred their culture, sciences, crafts, and skills to its indigenous people. Most of these empires were highly developed and advanced in many fields. For example, the Sumerians were the first to start using the alloy bronze, which allowed them to develop better instruments. The discovery of how to mould bronze soon spread all over the rest of Middle East. Among the earliest cultural artefacts in Sumer was pottery. Around 3000 BCE the Sumerians started carving in stones and shells, and creating statues. Jewellery was also created from gold and silver. Such skills are still used by Bahrainis and many other skills has been gained from Sassanids, Abbasids, Portuguese, Persian, British, and Arab tribes which at various times had been on the islands. Another example is that the current parliament is modelled on the British political system.

Accordingly, trade, fresh water, pearls, Islam, and colonisation all made Bahrain more advanced than its neighbours did. Bahrain was the first Gulf state to discover oil; it was also the first to enjoy the benefits that came with the revenues. Although

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<sup>21</sup> Richard I. Lawless, ed., *The Gulf in the early 20<sup>th</sup> century: Foreign Institutions and Local Responses*, Durham: Institute for Middle Eastern and Islamic Studies, 1986, p. 1.

oil has played a vital role in improving the quality of education, health care and the development of the country, it has also affected the natural development of the maturity of the population, which will be elaborated in depth in a later chapter. In contrast, the small oil reserves of Bahrain have proved to be an advantage. Without the resources for a boom, Bahrain has moved more slowly and thoughtfully into the technological age. The necessity to diversify their economy as well as their long history as a trading country has proved to be a fortuitous set of circumstances. It has produced new professions for the citizens to grab and advance. All these benefits have attracted different people to come and settle in Bahrain.

### 2.2.1 Sectarian Character of Bahrain's Society

Bahraini society, which did not change even after the transformation to civil society, is principally divided into the following groups or sects:<sup>22</sup>

- 1) **The Arabs;** which are locally called (*Qaba el*) or what is known in the English language as tribes, e.g. Al Utub.<sup>23</sup> They are Sunnis.
- 2) **Al Baharna;** they are regarded as the original inhabitants of the islands. They are Arab Shia.
- 3) **Al Hawala;** they are of Arab origin and emigrated from the Arab mainland to Persia and later returned to the mainland. The Hawala are Sunnis, divided into Hawala Arab and Hawala al *Mostarebeen* whom seem similar to mainstream Arabs.

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<sup>22</sup> A detailed and interesting analysis of Bahrain society and politics is presented in M. G. Rumaihi, "*Bahrain: Social and Political Change since the First World War*," Bowker Publishing Co., London, 1976; Another detailed analysis of the same topic is presented in Fuad I. Khuri, "*Tribe and State in Bahrain: The Transformation of Social and Political Authority in an Arab State*," The University of Chicago, U.S.A., 1980; Sir Charles Belgrave, "*Personal Column: A History of Bahrain 1926 – 1957*," Librairie Du Liban, Beirut, 1960; Emile A. Nakhleh, "*Bahrain: Political Development in a Modernizing Society*," Lexington Books, Toronto and London, 1938; Sheikh Abdulla Bin Khalid Al Khalifa & Abdul Almalk Y. Al Hamar, "*Bahrain through the History*," Volume 1, Bahrain, 1972; Ahmad Mustafa Abu Hakima, "*History of Eastern Arabia 1750 - 1800*," Beirut, 1965; May Seikaly, "*Women and Social Change in Bahrain*," International Journal of Middle East Studies, Vol. 26, No. 3, August 1994, pp. 415-426; Rosemarie Said Zahlan, "*The Making of the Modern Gulf States*," London, Unwin Hyman, 1989, rev. ed., Reading, Ithaca Press, 1998, and *The Bahrain Government Annual Reports 1924–1956*, Archive Editions, Gerrards Cross, Buckinghamshire, England, 1987.

<sup>23</sup> The most popular Arab tribes in Bahrain are Al Khalifa, Al Jalahma, Al-Ghatum, Al Fadel, Al Mosalam, Al Bin Ali, Al Sadah, Al Rumaihi, Al Manai, Al Dowsari, Al Noaimi, etc.

- 4) **Al Ajam or Iranian;** Shia who speak Persian and are unrelated to the Shia Baharna.

The Utub tribes and their allies are one of many tribes that were attracted by the wealth of Bahrain and have occupied it since 1783. The Muslims are divided religiously between the two sects of Islam: Sunnis and Shia. The Arab tribes, who came to Bahrain with Al Khalifa as conquerors and allies, were and continue to be considered as the upper class. These Arab tribes have a close relationship with the Al Khalifa and always get support in the form of money or lands from the rulers in return for their loyalty and protection. Some of these tribes still isolate themselves in their villages and do not mix or intermarry with the middle class.<sup>24</sup> For a long period, since their settlement in Bahrain, this group did not feel that education and work was essential (except in the military and pearl fishing) because of the support of Al Khalifa. They considered working on the land or in commerce as beneath their dignity. Approximately a decade ago, they started to educate themselves and their children, mostly the males, when the country and the region was challenged by recession and scarce natural resources that affected the allowances given by the rulers to them. Moreover, they were confronted by the increasing numbers of educated people from the Hawala, Baharna, and the Ajam and found themselves way behind in terms of development, political consciousness, and new challenges.

*Al Baharna* are the original inhabitants of the Islands. They are Shia Arab and are considered in Bahrain as second-class citizens. Their ethnic origin is still unknown. Charles Belgrave refers to them as originally Jewish who settled in the Arabian Gulf before the days of Islam.<sup>25</sup> P. W. Harrison, who wrote about the Islands in 1924, recognised them as semi-Persians.<sup>26</sup> Others indicated that they are the descendants

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<sup>24</sup> Most writers and analysts criticise Al Baharna's isolation as a threat and as a stance against urbanisation, whereas the isolation of other Arab tribes is not considered as threat to the citizenship and loyalty of Bahrain. The Al Baharna's isolation means they have failed to contribute to economic development such as the oil industries and commerce, which creates a gap in their self-development and gaining the necessary skills for future challenges.

<sup>25</sup> Sir Charles Belgrave, "*Personal Column: A History of Bahrain 1926 – 1957*," Librairie Du Liban, Beirut, 1960, p. 148.

<sup>26</sup> P. W. Harrison, "*The Arab at Home*," New York, 1924, p. 29.

of Arabs taken as prisoners by Nebuchadnezzar into Iraq who later escaped and settled in Bahrain.<sup>27</sup> The fact that they do not speak the Persian language and there are no form of Persian words in their form of Arabic, seems to rule out the possibility of them being semi-Persians.<sup>28</sup> The *Baharna* Arabic dialect is very similar to that spoke by the Arabs of Iraq. The Shia of Bahrain are practitioners of the “Twelver Shia,” because they believe in the succession of twelve *Imams* who are called Mohamed Al Mehdi. Differences between Shia and Sunni in Bahrain in matters such as ones that touch on the interpretation of Islamic teaching, being the original inhabitants of the Islands, way of living, job opportunities, and many others historical beliefs, have created social and political conflicts between these two sects of Islam.

The *Hawala* were the rulers of Bahrain before the Al Khalifa appeared on the Islands under their leader Jabbara of Tahiri.<sup>29</sup> The *Hawala*, who are considered as middle class citizens, came from the western coast of Fars (Iran) but they are Arab and Sunni. They are well integrated with the people of the Islands and are well adapted to the development of the Kingdom. They still dominate commerce and maritime trading, and play a key role in the economy. They were amongst the first people to take advantage of modern education, and most of them at present have leading positions in the public and private sectors. As a group, they have no solidarity such as that which exists amongst the Shia and to a lesser degree the Arab tribes. Thanks to their better education, they are the most politically conscious group in the Islands, but their political feelings are expressed on an individual rather than on a group basis. Their aspirations range from Arab nationalism, Islamic unity, and Western-style democracy, to simple patriotism. The *Hawala* were the prime movers in the political confrontations of the 1950s.<sup>30</sup>

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<sup>27</sup> James H. Belgrave, *Welcome to Bahrain*, Bahrain, 1970, p. 10.

<sup>28</sup> M. G. Rumaihi, “*Bahrain: Social and Political Change since the First World War*,” Bowker Publishing Co., London 1976, P. 26.

<sup>29</sup> Ahmad Mustafa Abu Hakima, “*History of Eastern Arabia 1750 - 1800*,” Beirut, 1965, p. 34.

<sup>30</sup> M. G. Rumaihi, p. 28.

In the seventh century, with the rise of Islam in the region and especially in Persia, many Persians migrated to Bahrain and settled there. A much larger number of Persians settled permanently on the Islands after the occupation of Bahrain by the Persians at the beginning of the seventeenth century. The Arab population in Bahrain has always considered the *Ajam*, who came from Iranian mainland and speak the Iranian language, at the bottom of the social and economic ladder. Most of them came to work in Bahrain's promising oil industry in the 1930s and 1940s. They work mainly in trade, finance, and private business. Most of them were not granted Bahraini citizenship until King Hamad's reign; this was due to their high rate of illegal immigration and the fact that they were perceived as being linked to Iran. As Iran has historically claimed the sovereignty of Bahrain, other groups of Bahrain society have not welcomed the *Ajam*. The Iranian Shia do not associate themselves with the Baharna Shia. They speak a different language (Farsi) from Arabic. As relations between Bahrain and Iran improved in 1970 when Iran recognised Bahrain as an independent state, more individuals have been granted the citizenship of Bahrain as a reward for their loyalty to the Islands. This loyalty was expressed in the United Nation questionnaire on whether Bahrain should become part of Iran or obtain sovereignty. Moreover, the relationship with other groups has also improved. In contrast, the Iranian Revolution of 1979, and its aftermath had a negative effect on the population: the government believed that a number of Shia plots during the 1980s received clandestine support from Iran.

Generally speaking, the structure of Shiaism and its holiest shrine are located in southern Iraq, and its most influential *ulamas* are found in the cities Najaf and Karbala of Iraq, Qom, and Mashhad of Iran. Since the creation of the Safavid Empire in the sixteenth century, Iran was the defender of Shiaism, which, until then, had been a more or less persecuted minority sect throughout the Islamic world. Since Khomeini's revolution, Iran has sometimes been described as "the Vatican of

the Shia.”<sup>31</sup> Although many Shia are ethnic Arabs, there is in Bahrain and in the Gulf in general a persistent and widespread stereotype according to which Shia is equivalent of Persian (Ajam), and Sunnis is the equivalent of Arab. As ethnic Persians, the Shia are seen as outsiders by Bahrainis Arab Sunnis.<sup>32</sup>

Those mentioned above are the main groups of Bahrain society. However, it does not mean that there are no other groups. Many other nationalities were attracted by the wealth of Bahrain and chose to settle there. Indian merchants and workers are one of these groups. Their numbers have rapidly increased over Bahrain’s history and became the largest group of foreigners on the Islands. Before the discovery of oil, Bahraini people dealt with Indian merchants during the pearl diving era, which made many of these Indian merchants stay in Bahrain. The number has increased with the discovery of oil in the Islands. Many Indian and Pakistani people were also brought to Bahrain to work in the police force.<sup>33</sup> Moreover, due to a shortage of public health labour it was necessary to recruit from Pakistan and India.<sup>34</sup> A remarkable number of Far East nationalities have also become a very high percentage of the Islands’ population. The majority of them work as housemaids. At present, Asians are considered to be the largest foreign community in Bahrain, see Table 2.1.

Because of its uniqueness, Bahrain has accepted many ethnicities. A small number of Jewish immigrants who fled from Iraq, Iran, and India have lived in the Islands since the 1920s.<sup>35</sup> There has been minimal friction between them and the Muslims; an indication of this was the fact that for many years there was a Jewish member on

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<sup>31</sup> Anh Nga Longva, “*Citizenship in the Gulf States: Conceptualisation and Practice*,” in the book edited by Nils A. Butenschon, Uri Davis, and Manuel Hassassian, “*Citizenship and the State in the Middle East: Approaches and Applications*,” Syracuse University Press, New York, 2000, p. 189.

<sup>32</sup> Ibid.

<sup>33</sup> *The Bahrain Government Annual Reports 1924–1956*, Archive Editions, Gerrards Cross, Buckinghamshire, England, 1987, Volume 1, p. 77.

<sup>34</sup> *The Bahrain Government Annual Reports 1924–1956*, Archive Editions, Gerrards Cross, Buckinghamshire, England, 1987, Volume v, p. 20.

<sup>35</sup> The 1950 census of population by the Bahrain Government indicated that there were 293 Jewish in Bahrain.

the Manama Municipal Council.<sup>36</sup> One exception to this friendly relationship occurred when the United Nations decided on 2 December 1942 to divide Palestine. There was a demonstration in part of Bahrain against America and Jewish groups, during which some houses occupied by Jews were ransacked or burned. Although some of the Jewish families fled the region, others continued to live in Bahrain. Jewish citizens continue to be allocated a seat in the Consultative Council.

There are also Arabs from other Middle East countries living in Bahrain. Some of them have lived there for a while, and have mainly worked in the field of education and business. In the recent history of the Island, many Jordanians and Syrians have increasingly worked in the military forces to protect Bahrain from external and internal threats, and to boost the economy of these countries. This political and protection policy of citizenship, was shown to be ineffective during the 1986 Qatar-Bahrain border dispute over the Hawar Islands. In May 1986, the two countries almost clashed when Qatar tried to take the Hawar Islands by force. The majority of Jordanians and Syrians refused to go to war against their fellow countrymen or relatives who worked in Qatar's military, and decided to return their Bahraini passports before fleeing back to their countries. Bahrain continues bringing these nationalities!

There are also a considerable number of Westerners such as British and Americans, who came to the Islands after the discovery of oil to contribute to economic development. They were considered experts as Bahrainis at that time lacked the experience for such a market. Their numbers are decreasing as Bahraini citizens become highly educated and skilful. Taking over the Westerners' positions is not an easy task, as these Westerners resisted training Bahrainis to maintain their own position and large incomes. In general, foreign workers such as the Indians and Westerners have reduced opportunities for the advancement of the indigenous population, especially in the field of oil and banking. Table 2.1 illustrates the

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<sup>36</sup> Sir Charles Belgrave, "*Personal Column: A History of Bahrain 1926 – 1957*," Librairie Du Liban, Beirut, 1960, p. 148.

Bahrain population by nationality groups based on the Bahrain Government 2001 census.

The differences between these classifications in the Bahrain society creates on one hand enormous economic benefits, and on the other hand, it brings tensions that lead to social and political conflicts. There is unrest between the Shia and Sunnis in Bahrain. As the Al Khalifa family belongs to the Sunnis, Shia Muslims have continued to agitate for more representation in government, and minor violent clashes have historically occurred.

Bahrain's society developed early; it was the first country from the GCC to hold a population census in 1941 and to continue to do so see Table 2.2. The first census was held primarily to determine the total population of the country for the purposes of food rationing. The most recent Bahrain census' objectives are to determine the major demographic and socio-economic characteristics of the population, providing necessary data for assessing the changes that have occurred in the kingdom, furnishing data on labour forces structures, providing necessary information for planning health, education, housing, etc.

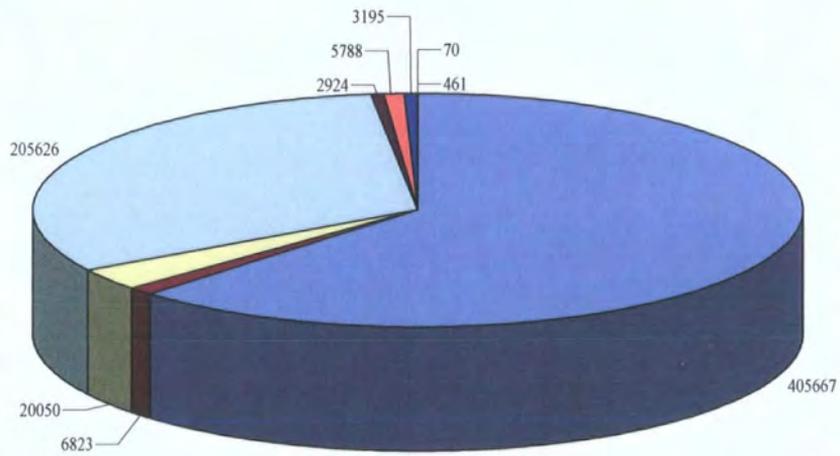
In fact, Bahrain's census has served many developmental aspects, but this massive database has hardly ever been used to bring about solidarity in Bahraini society or to diminish the underlying tension between the different groups. On the other hand, it does not, for example serve on the selection of MPs (Consultative Council), Ministers, or/and high-level appointed posts to ensure the right person for the right position.

The numbers in tables 2.1 and 2.2 indicate how the kingdom's population is rapidly increasing in a limited geographical area, which indicates that planners should look at the ways of developing the economy of the country and closely study social rather than political aspects. These criticisms will be elaborated on in detail in the coming chapters.

*Table 2.1: Population by Nationality Group – 2001*

Bahraini	GCC	Other Arabs	Asian	African	European	North American	South American	Oceanian	Total
405667	6823	20050	205626	2924	5788	3195	70	461	<b>650604</b>

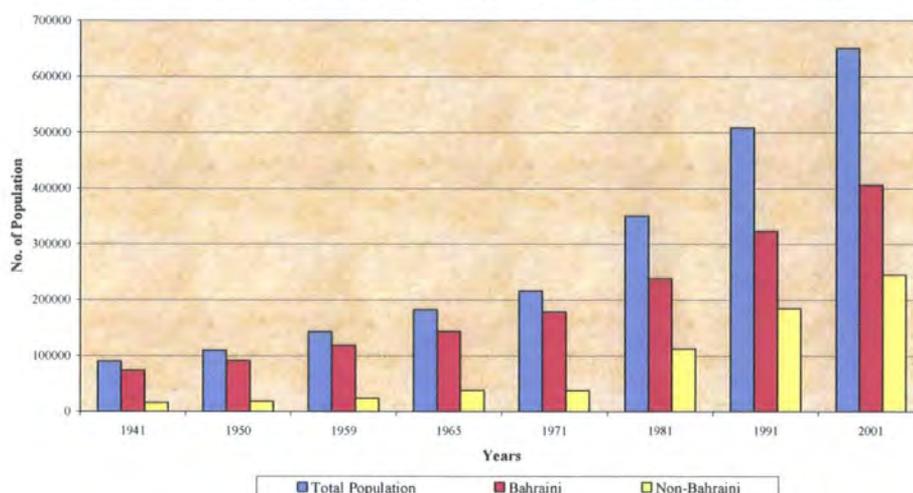
*Chart 2.1: Population by Nationality Group - 2001*



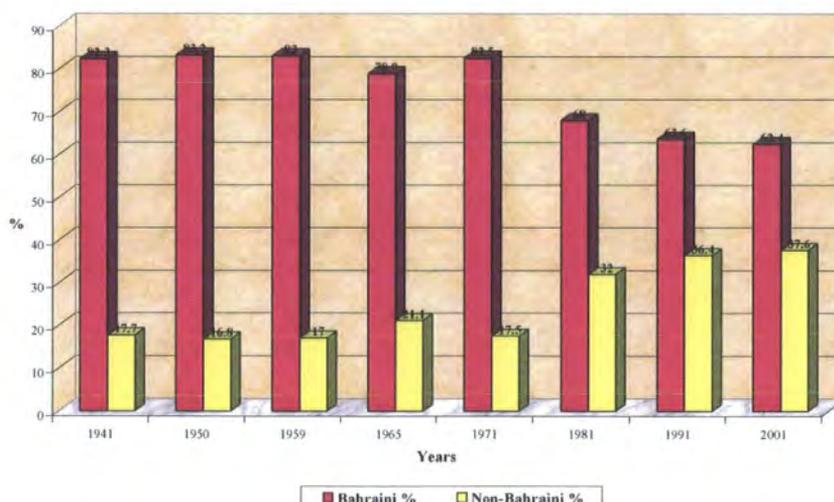
**Table 2.2 – Changes in Population Size and the Percentage Distribution of Bahrain Population by Nationality (1941 – 2001)**

Item	1941	1950	1959	1965	1971	1981	1991	2001
<b>Population</b>	89970	109650	143135	182203	216078	350798	508037	650604
<b>Bahraini</b>	74040	91176	118734	143814	178193	238420	323305	405667
<b>Non-Bahraini</b>	15930	18471	24401	38389	37885	112378	184732	244937
<b>Bahraini %</b>	82.3	83.2	83.0	78.9	82.5	68.0	63.6	62.4
<b>Non-Bahraini %</b>	17.7	16.8	17.0	21.1	17.5	32.0	36.4	37.6

**Chart 2.2: Changes in Population Size by Nationality (1941 – 2001)**



**Chart 2.3: Percentage Distribution of Bahrain Population by Nationality 1941–2001**



### 2.2.2 The Legitimacy of the Al Khalifa

One of the key issues that should be examined from the outset is the question of the legitimacy underpinning the ruling Al Khalifa tribe. A common critique levelled about the political systems of the Gulf countries is that the ruling tribes do not enjoy legitimacy, as they are ultimately not elected through a popular mandate. With specific regard to Bahrain, John Peterson implies that the Al Khalifa tribe lacks legitimacy within the Shia segments of society. He writes, ‘[b]y 2003, the graffiti was back with its terse exhortations of “No National Charter” [and] “Death to Khalifa.”’<sup>37</sup> It is, however, important for us to recognise the distinction between vocal unpopularity within certain quarters of society and legitimacy per se. Whilst such graffiti does indicate a degree of unpopular sentiment, it does not necessarily show a belief that holds widespread currency. Indeed, when we look back historically at Bahrain it is possible to identify three separate occasions where Bahrain’s society has been able to offer freely pledges of allegiance to the Al Khalifa. This demonstrates that a distinction needs to be made between unpopularity and legitimacy.

- The first occasion was in 1843, when a series of battles within the ruling families took place and threatened the rule of Al Khalifa over the Islands. These incidents prompted the British to install their own choice for Amir in 1869. After surveying the society of Bahrain, they selected Amir Isa Bin Ali Al Khalifa, who was only 21 years old and living in Qatar, to become the tenth ruler. That period marked the creation of modern Bahrain and the beginning of stability and prosperity which was to last for over half a century.
- The second occasion was in 1970 when the people of Bahrain were asked to give their opinion on the sovereignty of Bahrain in the United Nation’s questionnaire as to whether Bahrain should become part of Iran, or gain

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<sup>37</sup> J. E. Peterson, “*The Promise and Reality of Bahraini Reforms*,” Joshua Teitelbaum, ed., 2002, p. 34.

sovereignty. Again, Bahrain citizens, Sunni and Shia, proved their loyalty and that they were responsible patriots who were highly committed to their country and gave the ruling family legitimacy over the Islands.

- The third pledge of allegiance took place in 2001 when the people of Bahrain voted by 98.4% in favour of the vague National Action Charter, despite their political grievances and poor standards of living.

The final analysis that can be made is that the majority of Bahrain's society has historically supported and provided legitimacy for the Al Khalifa in their capacity as the *de jure* rulers of Bahrain. Indications that certain vocal sectors of society do not accept this position are thus a reflection of unpopularity rather than the actual *de jure* legitimacy.

### **2.3 THE EDUCATION SYSTEM**

The education system is of key importance to appreciating several interlinked factors relating to Bahrain's historical social and economic development. With education forming the bedrock of society, it has implications on the structure of the labour market, the political outlook of the population and by extension to the very definition of citizenship in Bahrain. With King Hamad implementing reforms in this area, it is pertinent to provide a background to this sector at this stage.

The education system in Bahrain is the longest established in the Arabian Gulf and is over 86 years old. At the beginning of the 20<sup>th</sup> century, Quranic Schools (*Mutawwa*) were the only form of education in the country. They are traditional schools aimed at teaching children and youth, both male and female, the reading of the Holy Quran by local *Mullahs* who were usually in charge of the local mosques. Such schools were the first sparks of enlightenment for Bahraini individuals. Meanwhile, the first Western style school in Bahrain was founded by the American Mission, an independent group who began their operations on the Islands in 1892 and were

adopted in 1894 by the Reformed Church in America.<sup>38</sup> Interestingly, the school was only for girls and the classes were very small, rarely exceeding one dozen during the early years, due partly to the local population's resentment of girls being educated, and partly to the fact that Christian religious instruction was given at the school. In 1905, the school expanded and a boys' school was opened in the Mission building. The school's attempt to attract and convert Bahrainis to Christianity did not work because Moslems are generally loyal to their religion. By 1934-35, the boys' school closed due to poor attendances and a lack of financial support. From 1940 to the 1960s, a few small private schools were established in Bahrain and, during the early stages, targeted minorities such as Persians, Indians, Pakistanis and Westerns. Examples included the Sacred Heart School, run by the Roman Catholic Church, and the Indian School, run by the Indian community on the Islands.

After the First World War, Bahrain became open to modern western influences. Political and social changes have occurred in the country, and helped create the rise of social and cultural awareness among the population, which found that *Quranic* schools did not fulfil their ambitions and did not cope with the challenges of the new era.

Before 1919, a number of well-known citizens in Muharraq city joined by members of the Royal family, discussed, and agreed to establish a modern formal school. As a result, the first modern public school system started in Muharraq in 1919. The school was called *Al Hidayah Al Khalifa* and was mostly occupied by Sunnis boys. An Education Committee ran the school consisting of several leading merchants. In 1926, the Education Committee opened a second public school for boys at Manama, the capital, and then in Hidd and Riffa, followed by the first public school for girls in 1928. In the same year, the Sunni committee took one more advanced step by sending eight youths for their higher education at the American University of Beirut. In contrast, the growth of these schools, which were restricted to the sons of Sunni population, created anxious feelings amongst the Shia society, which resulted in

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<sup>38</sup> R. B. Winder, "Education in Al-Bahrain," World of Islam, London and New York, 1959, p. 283.

them establishing their own schools. The first Shia school, called the *Jaffariya*, was opened in Manama in 1927. A year later, another school was opened in the village of Al Kamis. Thus, the education system furthered the division of the two main sects in the country.

Due to financial and administrative difficulties faced by the Education Committee, the schools came under the direct control of the government in 1930. The Gulf Polytechnic was the first institution of higher education in Bahrain and was established in 1968.

From its early years of growth, Bahrain has invested its oil revenues in education system development, based on the principle of human development and preparing the individual to face intellectually the future needs of the country. Since the 1970s, education has been one of the largest current government expenditures. Although not compulsory, primary and secondary attendance rates are high and illiteracy rates are currently among the lowest in the Arab and Muslim countries. Illiteracy was only 2.7% in 2001.<sup>39</sup> Higher education is available for secondary school graduates and can be obtained through Bahrain University, Arabian Gulf University, Private universities and Colleges, and Specialised Institutions including the College of Health Sciences, operating under the direction of the Ministry of Health, which trains physicians, nurses, pharmacists, and paramedics. The government has targeted the provision of education services to the wider Gulf region as a potential growth area, and is actively working to establish Bahrain as a regional centre for higher education and training.

In the 2001-2002 academic year, 118,129 students of both genders attended 195 public schools and 31,925 students attended 46 private schools. Education in public schools is free. Additionally, the Ministry of Education, Ministry of Defence, and many other public and private organisations in the country give huge numbers of scholarships to students who gain a high secondary school score. The Crown Prince

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<sup>39</sup> The 2001 census of population by the Bahrain Government.

established a fully sponsored scholarship programme targeting public and private high schools graduates with score higher than 95%, with equal opportunities given for both male and female students. The scholarship includes 10 seats at the most prestigious universities in UK and America such as Oxford, Cambridge, Harvard, and Yale.

Education is the leading factor for the development and the building of Bahrain's modern polity. It has acted as a catalyst for the Bahrainisation programme in the schools and all other fields; indeed the 86-year-old education system has made Bahrain's society more advance and open-minded. However, the challenge that Bahrain is facing now is to find jobs for all the graduate citizens from centres, institutes, colleges, and universities inside and outside the country.

## **2.4 POLITICAL PARTICIPATION**

Bahrain is one of the Gulf States that realised the importance of consultation and participation of its people in all general issues, and the interaction between the rulers and the ruled has occurred in several ways and techniques. The following analysis will divide the development of political participation into three stages: firstly covering the beginning of the 20<sup>th</sup> century to 1971; secondly dealing with the period from the independence to 1992; and finally the period from 1992 to the new reforms by King Hamad.

### **2.4.1 Stage One: The period before Independence**

Political participation started with Amir Isa bin Ali Al Khalifa, the tenth ruler of Bahrain, when he gave an oath to rule using the principle of *al Shura* as counselled by Islamic Law. He kept his oath and discussed all issues of political, social, and economic with his people via the following:

- *Al Majlis*: This tradition was and continues to be held. Rulers open their *Majlis* to the public to discuss matters of mutual interest and even the specifics of policies. The people of Bahrain meet on regular basis in their own *Majlis* for the same purposes.

- *Al Moktar* (Mayor): A tribal system where an elected person acts as the mediator between the tribe and the ruler. The *Moktar* collects all his people's requirements and suggestions and discusses them with the ruler. This system has been developed by Decree No. 16 of 1996 on establishing the Governorates' system that have the role of assisting ministries and other government institutions.

As early as 1913 the people of Bahrain demanded to have state structures such as the municipality, department of finance, police department, judiciary system, education, and customs taxes system. The first Bahrain Municipality demanded was reviewed and enacted by Article 70 of the Bahrain Order in Council, 1913, No. 1 of 1921/Municipal.<sup>40</sup> In 1938, the intellectual and nationalist people of Bahrain continued to put pressure on the government and Charles Belgrave, the British representative at that time, demanding the following:

- The development of a Consultative Council (*Shura Council*)
- Reform in the Police Department
- Categorising and coordinating the Bahrain Law
- Job priorities for Bahrainis in Bahrain Petroleum Company (BAPCO)

In the absence of political parties, the clubs and societies, whose membership includes a majority of Bahrain's elite, have played the essential functions performed by political parties. Although none of the clubs and societies was established for political reasons or to perform explicit political functions, they have all provided the environment for the public to develop and articulate political opinions. Sir Charles Belgrave wrote that the increase in the number of clubs, and the intensification of their political role, was directly related to the emerging political consciousness following the end of World War II. As they were the places where the educated met, the clubs, though strictly non-political, became in reality, political centres.<sup>41</sup> There were many types of clubs: literary and cultural, sports, women's welfare, and music

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<sup>40</sup> "Record of Bahrain: Primary Documents 1820 – 1960," Volume 3 / 1892 – 1923, Archive Editions, 1993, Antony Row Ltd., England, p. 447.

<sup>41</sup> Sir Charles Belgrave, "Personal Column," 2<sup>nd</sup> ed., Librairie Du Liban, Beirut, 1972, p. 144.

clubs. The press also played a vital political role in the early days of Bahrain. The press is considered as an agent of political socialisation in modernising societies. Historically, Bahrain has had a relatively strong tradition of journalism, especially in comparison to other Gulf States. However, this tradition was in fact intermittent due to the numerous interruptions to which newspapers were subjected as a result of governmental restrictions and orders, particularly during the mid 1950s.

#### 2.4.2 Stage Two: 1971 – 1992

After independence from the British in 1971, the rulers of Bahrain continued meeting with people on a regular basis through the *Majlis*. The rapid growth of the population resulted in the call for a larger institution to represent its citizens. In his 1971 National Day Speech, the first since independence, Amir Isa bin Salman announced that the country would have a constitutional form of government. Such a constitution would protect society's unity and cohesion, and guarantee citizens their basic individual freedoms of education, work, social welfare, health, and the free expression of opinions. It also provided the people with the right to participate in the management of their country's affairs in a context of legitimacy and constitutionalism.<sup>42</sup>

Six months later, Amir Isa bin Salman issued a decree providing for the election of representatives to a Constituent Assembly, charged with drafting and ratifying a constitution. The assembly was to consist of twenty-two elected delegates plus twenty additional members, including eight delegates appointed by the Amir and the twelve members from the Council of Ministers. The election, which was held in December 1972, was the first national election in the history of Bahrain. The electorate was restricted, however, to native-born male citizens aged twenty years and older. This commitment signalled a move by the Al Khalifa family to urbanise

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<sup>42</sup> State of Bahrain, Ministry of Information, *Huna Al Bahrain*, December 1971, p. 3.

and modernise its tribal rule, thereby attempting to establish a legitimate basis of government other than the traditional, autocratic tribal system.<sup>43</sup>

The Constituent Assembly was in session during most of 1973. It approved a constitution of 108 articles. The Constitution, enacted by decree in December 1973, provided for an advisory legislative body, the National Assembly, consisting of thirty members elected for a four-year term plus all the members of the Council of Ministers whose terms were not fixed. The Assembly was not empowered to initiate or enact legislation, but it was authorised to give advice and consent to laws proposed by the Council of Ministers. The Assembly had the right to question individual ministers about policies and to withdraw confidence from any minister except the Prime Minister. The Constitution allowed the Ruler to dissolve the Assembly, provided he made public the grounds for so doing. If the Assembly was dissolved by decree, new elections had to take place within two months or the dissolution would be invalidated and the dismissed members reinstated.

There were several frictions between the National Assembly and the Government. On 26 August 1975, the Prime Minister resigned, complaining of the continual obstruction of his work by the Assembly. The ruler formed a new government and dissolved the National Assembly. Although the constitution stipulated that new elections had to take place within two months of dissolution, this did not happen. This remains a defining moment in the relations between the government and opposition: in the view of some people, the government has been operating illegally since October 1975.<sup>44</sup> One year later, in August 1976, the ruler announced that the National Assembly would remain dissolved indefinitely. Some of the reasons of dissolving the Assembly were the demands to rescind the 1965 Law of Public Security, as political parties were not permitted. It was assumed that the members of the Assembly were acting on behalf of parties such as the National Front for the

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<sup>43</sup> Nakhleh, Emile, "*Bahrain: Political Development in a Modernizing Society*," Lexington Books, Toronto and London, 1983, p. 117.

<sup>44</sup> International Crisis Group, "*Bahrain's sectarian Challenge*," Middle East Report No. 40, May 6, 2005, p. 2.

Liberation of Bahrain, which espoused Marxist economic ideas; the People's Bloc that advocated the legislation of labour unions and the abolition of the Security Law; the Religious Bloc which supported labour reforms and various social restrictions, such as a ban on the sale of alcoholic beverages; and independents whose individual positions shifted according to the issues.

Many internal and external factors postponed elections to the new Assembly until 1992:

- The Iranian Revolution of 1979 and the disorder that came prior to it, in addition to the claim on Bahrain by Iran.
- The Iraq–Iran War (1980–1988) that threatened the security and stability of the whole Gulf. Additionally, the Israeli invasion of Lebanon in 1982, and the peace accord between Egypt and Israel that saw Egypt withdraw from the Arab League.
- Qatar-Bahrain border dispute that pushed the country to military readiness.
- The invasion of Kuwait by Iraq in 1990, which changed all GCC States' aspects of security and policies towards their neighbour.

#### 2.4.3 Stage Three: 1992 to the present

From 1975, the appointed government ruled with virtually absolute power. In 1992, Amir Isa bin Salman appointed a 30 member *Shura Majlis* for a term of four years. In 1994, there were public protests by Shia calling for the reinstatement of a national assembly. As a move towards a more political participation, the council was expanded to 40 members in May 1996. There were still no recognisable political parties. The new Consultative Council, which began debating labour matters in January 1993, is believed to have had an impact on the provisions of the new Labour Law enacted in September 1993.

In March 1999, King Hamad succeeded as head of state following his father's death. His accession to power led to a significant acceleration of the political reform process. He adopted a comprehensive reform project taking a number of measures

to secure a climate of national unity and social consolidation. The King started his reform when he said on 13 March 1999:

*We are greatly confident that our Bahraini civilised society is blessed with much potential of real progress upon which we can build in the path of political, administrative, and economic development. Such path we highly believe in and consider it as a source of richness for our traditions of consultation, and as a pattern for governmental development and for accomplishing the comprehensive progress and diversifying of the national economy in the interest of the people of this nation and every piece of this soil.*<sup>45</sup>

## 2.5 THE LEGAL SYSTEM

In examining, the primary factors, which have contributed to the development of Bahrain's reformed system, it is essential to recognise the structure of the legal apparatus that underpins the distribution of political power in Bahrain. For a full appreciation of the manner in which King Hamad reformed the legal system in Bahrain, it is necessary for us to firstly examine its historical development. This will allow the reader to realise the significance of change and the obstacles Bahrain was facing prior to this new initiative.

Bahrain has a complex system of courts, based on diverse legal sources, including customary tribal law (*Urf*),<sup>46</sup> Sunni and Shia *Sharia* law (Islamic law), British Common Law and other civil laws as embodied in codes, ordinances, traditions and

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<sup>45</sup> Ministry of Information, "*The Speeches of His Majesty King Hamad bin Isa Al Khalifa, King of Bahrain*," Ministry of Information publication, Bahrain, 2002, p. 8.

<sup>46</sup> The Blake's Law Dictionary, 6<sup>th</sup> edition, West Publishing: USA, explain the word custom or *Urf* as follow:

- *Custom*: Term generally implies habitual practice or course of action that characteristically is repeated in like circumstances.
- *Custom and usage*: A usage or practice of the people, which, by common adoption and acquiescence, and by long and unvarying habit, has become compulsory, and has acquired the force of a law with respect to the place or subject-matter to which it relates. It results from a long series of action, constantly repeated, which have, by such repetition and by uninterrupted acquiescence, acquired the force of a tacit and common consent. A habitual or customary practice, more or less widespread, which prevails within a geographical or sociological area; usage is a course of conduct based on a series of actual occurrences.

regulation created with the help of the British advisers in the 1920s and which continued up to independence in 1971. As there are several differences between Shia and Sunna Islamic law (*Sharia*) practice, the Bahraini government has permitted each sect to have its own *Sharia* courts. *Sharia* law includes the *Maliki* School of Islamic law (from Abd Allah Malik Ibn Anas, an eighth-century Muslim jurist from Medina) and the *Shafai* School of Islamic law (from Mohammed Ibn Idris Al Shafai, a late eighth-century Muslim jurist from Mecca). Sunni Muslims recognise both of these schools. The third school is the eighth-century *Ja'afari* (from Jaafar Ibn Mohammed, the Sixth Imam) school of Twelver Islam, which is recognised by Shia. The subdivided *Sharia* courts have the power to arbitrate on personal status conflicts relating to marriage, divorce, inheritance, and child custody. The *Sharia* courts in this regard adjudicate disputes among Muslims, while those between members of other religions are judged under civil courts. Appeals beyond the jurisdiction of the *Sharia* Court of Appeal are taken to the Supreme Court of Appeal, which is part of the civil system.

Legislative Decree No. 13 of 1971, regarding the organisation of the judiciary, establishes courts of first instance (lower and higher courts) and courts of enforcement, Higher Civil Courts of Appeal and the Court of Cassation. There are two classes of courts: Civil courts, which have jurisdiction over civil and criminal cases, and the *Sharia* courts, which rule on issues of personal status. The Civil Court system consists of summary courts and a supreme court. Summary courts of first instance are located in all communities and include separate *Urf*, civil, and criminal sections. The Supreme courts hear appeals from the Summary courts. The Supreme Court of Appeal is the highest appellate court in the country. The Supreme Court of Appeal also decides on the constitutionality of laws and regulations.

There is no administrative court system in Bahrain, and according to the Judiciary Act of 1971, courts are forbidden to review acts of State. However, the Court of Cassation has ruled that the civil courts are competent to hear petitions against administrative decisions.

The Bahrain Defence Force (BDF) and the National Guard (NG) maintain a separate court system for military personnel accused of offences under the Military Code of Justice. The Ministry of Interior has a similar system for trying police officials. The military courts do not review cases involving civilian, criminal, or security offences. However, Article 105 (b) of the Constitution provides for the possibility to extend such jurisdiction when Martial Law is declared and within the bounds prescribed by law.<sup>47</sup>

The most encouraging recent development relating to the judiciary system is the abolition of both the Decree Law on State Security Measures and the State Security Court Measures. On 18 February 2001, King Hamad issued Decree No 11 of 2001, abolishing the Decree Law on State Security Measures, in force since 1975, which empowered the Ministry of Interior to detain individuals without charge or trial for up to three years. In another decree, No. 4 of 2001, he removed the power of the High Civil Court of Appeal, in its capacity as a State Security Court, to consider offences relating to internal and external state security.

In September 2000, the King created the Higher Judicial Council to regulate these courts and separate the administrative and judicial branches of government. The King chairs the Council and its members are appointed by him and include judges from the Supreme Court of Appeal, the *Sharia* Law Courts, and the Civil High Courts of Appeal. Moreover, in 2002, the King created a Constitutional Court that rules on the constitutionality of laws and constitutional conflicts. It consists of a president and six members who are all appointed by the Higher Judicial Council. These seven judges serve a term of nine years and cannot be removed before their terms expire. Any member of the government, including the King, can challenge the

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<sup>47</sup> Article 105 (b) of Bahrain Amended Constitution. "The jurisdiction of military courts shall be confined to military offences committed by members of the Defence Force, the National Guard, and the Security Forces. It does not extend to other persons except when martial law is declared and within the bounds prescribed by law."

constitutionality of laws in this court, where the decisions are final and “binding on all state authorities.”<sup>48</sup>

### 2.5.1 Sources of Bahraini Law

Sources of law mean the origins of law or the means by which the provisions, rules, and principles of law are created. The majority of Bahraini law are influenced by moral values, which have been heavily shaped by Islamic religion and obligations. The rule of law has two aspects: The first aspect is that there should be no sanction without breach, i.e., nobody should be punished, unless he has broken the law. The other aspect is that one law should govern everyone, including both ordinary citizens and stated officials, i.e. supremacy of law.

As the principle source of Bahraini law, legislation means the formation of rules of law by the making authority. Legislation embraces: (1) codified acts of parliament, that is statutes; and (2) legislation of necessity and delegated legislation, which is directives, regulations, and provisional law. The legislative authority issues the statutes, which constitute the main and the general part of the legislation in the state, whereas the executive authority issues regulations and provisional laws.

It is assumed that every person of the state has knowledge of the laws. So, when a new law is issued, whether a statute or a regulation, the state takes certain steps in order to inform the public of the provisions of the new law. Thus, every new law undergoes the following steps:<sup>49</sup>

- **Promulgation:** this is an act done by the head of the executive authority (the prime minister) and aims to the declaration of the existence of the legislation and to order the governmental institutions for executing it.
  
- **Publication:** legislation in Bahrain becomes executable now it has been promulgated, but it is not applicable to individuals, unless there is some

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<sup>48</sup> The Constitution of the Kingdom of Bahrain, 14 February 2002, section I, the King.

<sup>49</sup> Ibid, Arts. 122 and 124.

means by which they can know of it. Publication is made to enable individuals to know the law in order to comply with its rules.

It is to be said the main sources of the Bahraini laws are custom, Islamic doctrine, the writing of law jurists and judicial decisions.

- Custom: Custom prescribes behaviour that through continued observance has become customary, and announces sanctions for deviant behaviour. It is distinguished from mere habits by the coercive force that is gathered behind it. In order to be resorted to by the Bahraini court, custom must be ancient, stable, and not contradict the rules of law, public order, or morals.
- Islamic Doctrine: Sharia is one of the major sources of Bahraini legislation.<sup>50</sup> Judges are required to consider the Sharia principles most suited to the terms of the civil code when they do not find solutions in the provisions of the law. Sharia principles are to be found in the texts of *Quran* and Sunna.
- The writing of law jurists: The writing of national and foreign law jurists and academics are regarded as one of the important sources of Bahraini civil law, providing these writing do not contradict with the principles of Islamic Sharia. Jurists' materials may be restored to by the national court, for example, in the course of their interpretation of national law.
- Judicial Decisions: The application and interpretation of legislation has given rise to a mass of case law (judicial precedents). These precedents are regarded as a major part of Bahraini source of law. They do not have an independent authority of their own, but they are evidence of what the law is. The principle behind the doctrine of precedents is that in the absence of legal rule, judges are required to rule according to the other source of law

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<sup>50</sup> Ibid, Art. 2.

and to take into consideration the existing examples, or precedents of earlier decisions. Where the case to be decided is one without precedent. That is, unlike previous cases, the judge must decide according to custom or general principles of justice. By doing so, he lays down an original example that later judges will respect and may take into account if they encounter a similar case.

## 2.6 FOREIGN RELATIONS

A further key area, which is directly relevant to contextualising Bahrain for the substantive element of the thesis, concerns its international relations. Historically speaking, external forces have heavily influenced Bahrain's internal politics and social character. Therefore, it is crucial that a discussion of these wider influences is taken into consideration prior to considering the contemporary nature of reform under King Hamad.

Bahrain's historical concern over the threat from Iran, as well as its domestic unrest of the Shia in the country prompted it to join the GCC, which was formed in 1981, and includes UAE, Oman, Qatar, Kuwait, and Saudi Arabia. It is effectively a six-nation body designed to enhance economic and security co-operation between the Gulf States. Even within the GCC, however, from time to time Bahrain has had tense relations with Qatar over their mutual claim to the Hawar Islands, and the adjacent islands located between the two countries. Fortunately, the International Court of Justice at The Hague solved this dispute on 16 March 2001, awarding sovereignty over Hawar Islands and Qit'at-Jaradah to Bahrain and sovereignty over Zubara, Janan Island and Fasht Al Dibal to Qatar.<sup>51</sup> The peaceful settlement of this dispute has allowed for renewed cooperation on several fields.

Additionally, Bahrain has begun taking steps to improve relations with Iran. King Hamad made a visit to Iran, followed by another visit by his wife Sheikha Sabeeka.

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<sup>51</sup> A Rich and interesting book regarding Qatar & Bahrain dispute illustrated in Jawad S. Al-Arayed, "A Line in the Sea: The Qatar v. Bahrain Border Dispute in the World Court," North Atlantic Books, Berkeley, California, 2003.

These efforts have included encouraging bilateral trade and maritime security cooperation.

Through the history of the Islands, Bahrain has been an important Western ally. Both British and US military forces have been allowed to use Bahraini ports and airfields, which were vital to the prosecution of the three Iraq wars and the 2002 Afghan war. In the light of Bahrain's strategic importance and its historical commitment in supporting the defence, of not only its own values and interests in the region, but also those of its neighbours and the West, it is of no surprise to see the US Navy's regional operations based in Bahrain. Since the establishment of the Gulf Area Command in January 1949, the US-Bahrain security relationship has evolved and deepened, despite intense pressure from some quarters for Bahrain to sever these ties.<sup>52</sup> It has also been a defensive strategy protecting the Islands from invasion by surrounding countries, a strategy which took neighbouring countries longer time, and painful experience to understand (Kuwait comes first to mind). The designation of Bahrain as a US Major Non-NATO Ally<sup>53</sup> has not accidentally

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<sup>52</sup> Sheikh Salman Bin Hamad Al Khalifa, "GCC Defence Cooperation with the West: A Bahraini Perspective," "The Gulf: Future Security and British Policy," the Emirates Centre for Strategic Studies and Research, Abu Dhabi, UAE, 2002, p. 39.

<sup>53</sup> Major Non-NATO Ally Status does not entail the same mutual defense and security guarantees afforded to North Atlantic Treaty Organization (NATO) members. However, designation of Bahrain as an MNNA represents an affirmation of the importance the US places on the US-Bahrain alliance relationship in the 21st century. Bahrain has been a treaty ally of the United States for nearly 57 years, since the 1949. The alliance partnership has continued to expand over the years.

**(MNNA) Definitions:** U.S. legislation creates two categories of MNNA status. The first category is under Title 10 U.S Code Section 2350a (Nunn Amendment of 1987). The Second is under Section 517 of the Foreign Assistance Act of 1961, as amended (FAA) (title 22, USC Section 2321k).

**Title 10 U.S. Code Section 2350a** authorizes the Secretary of Defense, with the concurrence of the Secretary of State, to designate MNNA for purposes of participating with the Department of Defense (DOD) in cooperative research and development programs. Israel, Egypt, Japan, Australia, and the Republic of Korea were given MNNA designation under Title 10 in 1987, followed by Jordan (1996), Argentina (1998), New Zealand, and **Bahrain** (2002), and the Philippines and Thailand (2003).

**Designation under this provision:**

- Permits firms of the country to bid on certain USG contracts for maintenance, repair or overhaul of DOD equipment outside the Continental US. (10 USC 2349)
- Makes a country eligible for certain joint counterterrorism research & development projects. (22 USC 2349a-10(b); PL 104-132 sec. 328(b))
- Allows DOD to enter into cooperative R&D projects with the country to improve conventional defense capabilities on an equitable cost-sharing basis. (10 USC sec 2350a)

**Section 517 of the Foreign Assistance Act of 1961**, as amended, authorizes the President to designate a country as a MNNA after 30-days notification to Congress, for purposes of the FAA and the Arms Export Control Act (AECA). The statute, enacted in 1996, initially designated Australia,

occurred due to a certain event or passing interest. It comes out of an objective expression of the historical links over more than a century, initially launched thorough humanitarian projects, notably the American Mission Hospital that remain and have for over a century, provided true services for Bahrain and its neighbours in the Gulf. In one of his speeches, the King said:

*Out of this Major-Ally status we shall mainly gain economic benefit for the prosperity of Bahrain people, since this strategic partnership gives Bahrain a seat in the forum of advanced countries in Asia and the Orient.*

The involvement of Bahrain in the US Free Trade Agreement (FTA) initiative has played a great role in reinforcing the commercial, economic and investment sectors in the country. Moreover, Congress and successive Administrations, citing Bahrain's limited oil income, have supported military assistance to Bahrain's small BDF. Foreign Military Financing (FMF) was suspended for Bahrain in 1994, but, in appreciation of Bahrain's support in wars in Afghanistan and Iraq, FMF has restarted. International Military Education and Training Funds (IMET) increased. See Table 2.3.

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Egypt, Israel, Japan, the Republic of Korea, and New Zealand as MNNA. Subsequently, Jordan (1996), Argentina (1998), Bahrain (2002), and the Philippines and Thailand (2003) have also been designated as MNNA under this provision.

**Designation under this provision:**

- Makes a nation eligible, to the maximum extent feasible, for priority delivery of excess defence articles if it is on the South or South-eastern flank of NATO.
- Makes a nation eligible to buy depleted uranium ammunition.
- Makes the country eligible to have U.S.-owned War Reserve Stockpiles on its territory outside of U.S. military installations.
- Allows the country to enter into agreements with the USG for the cooperative furnishing of training on a bilateral or multilateral basis under reciprocal financial arrangements that may exclude reimbursement for indirect costs and certain other charges.
- Allows the country to use U.S. provided Foreign Military financing for commercial leasing of certain defence articles.
- Makes a country eligible for loans of materials, supplies and equipment for cooperative R&D projects and testing and evaluation.
- Makes a country eligible for expedited processing of export licenses of commercial satellites, their technologies, components, and systems.

MNNA designation under section 517 of the FAA can be terminated at the discretion of the President with 30 days notice to the Congress, but no specific criteria or precedents exist regarding termination.

*Table 2.3: United States Assistance to Bahrain*

	2002	2003	2004	2005	2006 (requested)
<b>FMF (in millions)</b>	\$28.5	\$90.0	\$24.6	\$18.85	\$19.0
<b>IMET (in thousands)</b>	\$395	\$448	\$600	\$650	\$650

*Source: CRS Report for Congress DATE?*

Likewise, the longstanding bilateral relationship with UK is in excellent health. The UK continues to support the King’s reform agenda and develop cooperation in other key areas.<sup>54</sup> Education is one of the key areas of assistance besides trade. The field of Citizenship Education is at present of high teamwork between the two countries to improve the lives of nationals in Bahrain. The UK Home Office signed a Memorandum of Understanding with the Ministry of Interior on 20 October 2005 aimed at promoting cooperation on a number of issues, including counter terrorism and civil policing.<sup>55</sup> Alongside the excellent relationship with GCC countries and the Arab and Islamic countries, Bahrain, through history has kept strong relations with most of other countries, such as China, Japan, Russia, all Far East states, South America, and South Africa.<sup>56</sup>

The Kingdom remains committed to the concerns and issues of the Arab and Islamic nations. Despite the aggression that came from Iraq and Iran regimes, Bahrain has remained able to differentiate between the regime and the people. Additionally, it has always adhered to a general Arab policy and in its basic precepts in its relations with Israel; it has not rushed to take steps towards diplomatic links with Israel. In general, Bahrain’s foreign policy is based on mutual respect and non-interference in the internal affairs of other countries. It is based also on good neighbourly relations, with the permanent conviction that every problem can be solved, no matter how complicated and entrenched it may seem.

<sup>54</sup> British Embassy, “Bahrain International relation,” [www.britishembassy.gov.uk](http://www.britishembassy.gov.uk).

<sup>55</sup> Ibid.

<sup>56</sup> A rich report provided by Ministry of Industry and Commerce regarding Bahrain foreign relations, 2004.

Its strategic location and wise foreign policy in the Arabian Gulf has made Bahrain a unique case. Most world specialists indicate that Bahrain's strategic location and wise foreign policy have made it the key for Arabian Gulf security and stability, and the first defensive line to any aggressions in the region.

## **2.7 ECONOMIC STRUCTURE**

The economic structure of Bahrain is a tangible factor to understanding its modern polity and society. Indeed, Bahrain can be considered to have a unique political economy within the GCC. A key driver of the reform for King Hamad will be shown to be the social grievances of the population, which have been brought about by the poor economic development. The national disturbances and riots of the late 1990s is a case in point. Here it is important to recognise from the offset that there is a direct relationship between Bahrain's social and political problems and its economic performance. Therefore, the following will provide a narrative of the historical and contemporary character of Bahrain's economy.

The rulers of Bahrain have tried hard through the use of force or through political/social manoeuvring to maintain their independence and position since their rule began in 1783. On the other hand, each ruler, in one way or another, has tried to build up and develop what was so vital for his reign: to ensure the continuation of rule over the Islands. Some of the rulers prevailed in peace; others prevailed in power, trade and business, navigation, diving, construction of projects such as schools, buildings, electricity, and health facilities. Others made drastic political, economic, and social changes. Recognition should go to Amir Isa bin-Salman Al Khalifa, who became Amir in 1961, in order to diversify his country's economy, set about establishing Bahrain as a major financial centre. The Bahrain Oil Company refinery, which was built in 1935, was the first of its kind in the Gulf and has a capacity of about 250,000 barrels per day. Since 1980, 60% of the refinery has been owned by the Bahrain National Oil Company and 40% by the American company, Caltex. Saudi Arabia provides most of the crude oil for the refinery operation via pipelines. Today some 60% of the national income comes from oil and natural gas,

which is all processed locally. Bahrain has the lowest oil and gas reserves in the GCC, estimated respectively at 210 million barrels of oil and 5.3 trillion cubic feet of gas, and the energy sector accounts for 16.5% of Bahrain's Gross Domestic Product (GDP). The Saudi government has given Bahrain all revenues from the 150,000 barrels per day produced from Saudi Arabia's *Abu Saafa* offshore oilfield.<sup>57</sup> Accordingly, Bahrain has stabilised its oil production at about 50,000 barrels per day and Bahrain's onshore oil reserves are expected to last 10-15 years.<sup>58</sup> Bahrain awarded exploration rights to Malaysia's Petronas and the American Chevron Texaco after the resolution of its long-standing territorial dispute with Qatar, but no meaningful finds have been announced to date. Industrial processing of aluminium, petrochemicals, iron, and steel are also established by Bahrain. The country's main shipbuilding and repair facility had a high trade in the late 1980s, patching up tankers that had been hit by one side or the other during the Iran-Iraq War. The opening of the King Fahd Causeway between Bahrain and Saudi Arabia in 1986 gave a crucial boost to business and tourism. Bahrain's development as a major financial centre has been the most productive aspect of its diversification effort. International financial institutions operate in Bahrain, both offshore and onshore, without impediments, and the financial sector is currently the second largest contributor to GDP.

Since he took over the throne, King Hamad has pledged to bring in goodness for the people of this nation, giving priority to raise the living standard of the Bahraini citizen, notably those of limited income. He said:

*We believe in involving all categories of the society in the economic and social development process and the need that every group receives its fair share of the fruits of growth and of the wealth of the nation. In pursuance of this objective, we continue to cultivate and distribute the economic prosperity through further policies of free economy, the privatisation of projects, the drafting of laws and discipline that tackle*

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<sup>57</sup> Saudi Arabia started to retain their share of the refinery by mid 2004.

<sup>58</sup> Bureau of Near Eastern Affairs, U.S. Department of State, November 2003.

*recession and unemployment and also to open a wide scope for free trade competition that avert monopoly and avoid duality of interests.*<sup>59</sup>

At the present time, Bahrain is working to place itself as a safe international, financial and economic centre, governed by legislation and rules in this vital region of the world. The removal of barriers and restrictions in the economy and the opening of future investment opportunities, away from political and administrative procedures, are among the essential needs for the desired economic growth.

King Hamad transformed the long historical border dispute with Qatar from tension to one of promise. He pointed out:

*In regard to relations with brothers in Qatar, the historical verdict of the international court of justice on affirming Bahrain's full sovereignty on Hawar islands has come as a joint victory for both brotherly countries, defining the regional and international entity of the islands and waters of Bahrain archipelago. This has also opened the doors for integration with Qatar under the leadership of Sheikh Hamad bin Khalifa Al Thani who spares no effort to initiate joint ventures with Bahrain, notably the causeway project, supply of gas and the use of Bahraini skilled labour force.*<sup>60</sup>

Furthermore, on September 14, 2004, the United States and Bahrain signed a Free Trade Agreement (FTA).<sup>61</sup> Under the agreement, all bilateral trade in consumer and industrial goods will be duty free, and 98% of US agricultural exports will be duty free. The FTA is intended to signal US support for economic reform in Bahrain and

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<sup>59</sup> Ministry of Information, "The Speeches of His Majesty King Hamad bin Isa Al Khalifa, King of Bahrain," Ministry of Information publication, Bahrain, 2002, p. 76.

<sup>60</sup> Ibid, p. 77.

<sup>61</sup> For more details in the U.S.-Bahrain Free Trade Agreement see the following sites: [www.ustr.gov/Trade-Agreement/Bilateral/Bahrain-FTA](http://www.ustr.gov/Trade-Agreement/Bilateral/Bahrain-FTA), [www.fta.gov.bh](http://www.fta.gov.bh), [www.bilaterals.org](http://www.bilaterals.org), and [www.fas.usda.gov/itp/Bahrain](http://www.fas.usda.gov/itp/Bahrain).

throughout the Middle East, and it is viewed as support for Bahrain's longstanding alliance.<sup>62</sup> The Prime Minister has confirmed this issue by indicating that:

*FTA will reinforce the commercial, economic and investment sectors in the country and attract more foreign investment by advertising and marketing the FTA accomplishment.*<sup>63</sup>

Bahrain is working to develop other service industries such as information technology, healthcare, and education. The government has used its oil revenue to build an advanced infrastructure in transportation and telecommunications. Bahrain Telecommunications Company (Batelco), the Kingdom's monopoly that lasted for approximately 50 years, was broken in April 2003 with the liberalisation of this state sector. Liberalisation of the water and power industries was seen as part of the same initiative. Regional tourism is also a significant source of income. The government continues to favour large-scale tourism projects. Education is an area that Bahrain has been developing for some time, attempting to become the prime training centre in the region. In 2003, it awarded several contracts to develop a state-of-the-art international horse racing track, and a Formula-1 circuit and tourist complex. The Bahrain Financial Harbour Project aims to attract more financial institutions when it opens in 2006. For more information regarding development projects in the public and private sectors in Bahrain see Table 2.4.

Since 1999, Bahrain's defence spending has been steady. The government spends around \$440 million annually on its armed forces, which equates to about 20% of the current national expenditures. The reconstituted parliamentary process has produced spirited debate over government spending — particularly defence spending but no actual reduction has been made yet.

Obviously, there can be no development without security and stability, and Bahrain has to some extent granted security for its development but it was made by using

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<sup>62</sup> Kenneth Katzman, "Bahrain: Key Issues for U.S. Policy," CRS Report for Congress, March 24, 2005, p.5.

<sup>63</sup> "PM call on private sector to benefit from FTA deal," Bahrain Tribune, June 2<sup>nd</sup> 2004.

force where opposition was kept muted through the security law. However, the new reforms have brought new schemes where all strategic decisions are shared between several bodies that make the decisions more solid and productive. It is not a one-man show any more. This process also works to the advantage of the ruling family, as failure of any planned responsibilities will be shared. As Nonneman notes, “opening up the decision-making process for non-royal actors, and expanding avenues for popular participation, can . . . spread responsibility for difficult decisions or circumstances, or for government failures.”<sup>64</sup>

*Table: 2.4 Major Projects in the Pipeline in Bahrain*

**Government Projects**

<b>Project's Name</b>	<b>Description</b>	<b>Project's Value</b>	<b>Status</b>
1. New Towns in Manama	Four new towns are to be built in Manama area. The project includes infrastructure, services, and houses. The owner is Ministry of Works & Housing. The government is expected to move ahead with each town as funds become available over 10 years period.	BD390MM	The project is in the implementation stage. The reclamation contract has been awarded to Boskalis Westminster for BD66.4M. The work is expected to be completed by December 2007.
2. Al Hidd Desalination plant	New desalination plant with a capacity to produce 60 million gallons per day. The project will form the third phase of Al Hidd Power & Water plant which has recently been privatised to a consortium led by International Power Company of U.K. for USD732MM.	U.S.\$400MM	New Private Company is being formed which will handle the new project.
3. Airport Commercial Complex	Construction of a complex on a site facing Bahrain International Airport. It will incorporate 4000 unit multi-storey car park and various leisure and shopping developments. The client is Ministry of Transportation.	U.S.\$115MM	The project is in the design stage. The Ministry has signed MOU with Paris-based Optimum Group.

<sup>64</sup> Gerd Nonneman, “*Governance, human rights, and the case for political adaptation in the Gulf*,” issues in the EU-GCC political dialogue, policy paper 3, Badia Fiesolana: European University Institution, 2001, p.5.

4. Township Dredging at Busaiteen	Dredging, reclamation and installation of shoreline protection at Busaiteen and west Hidd. The project entails dredging and reclamation of 16MM cubic meters and 13MM cubic meters of sandfill.	BD25MM	The main contractor is Al Ghannah Contracting in joint venture with Wade Adams.
5. Development of Pearl Island Tourism Project	The project consists of two islands where one has a tourist resort, play grounds, hotels and restaurants. The other island consists of housing. The project is owned by Ministry of Finance & National Economy (50%) and Robert Muwad Group of Lebanon. The location is next to the new Financial Harbor project at Manama.	U.S.\$60MM	The project is in implementation stage. The promoters are seeking bank finance to complete the project by June 2007.
6. Infrastructure works of New Port at Hidd	The works comprise the earthworks, pavement construction, drainage, water supply, electrical and other services for the 100 hectare port.	N.A.	The project is being re-designed and will be re-tendered soon.
7. Sh. Khalifa Sports City at Isa Town	This project at Isa Town stadium include a new stadium with capacity of 3600 spectators to replace the old stadium in addition to multi-purpose hall, tennis court, Olympic swimming pool and other facilities.	BD10MM	The contract has been awarded to Moh'd Jalal Contracting and implementation will start shortly.
8. Municipality Housing project	The project will cover an area of one million sq.ft and will involve the construction of 1500 apartments, and will include a park, mosque, shops and school. The project will be undertaken by the Municipality and Agriculture Ministry and Central Municipal Council on a beachfront near AlBandar Resort at Sitra.	BD15MM	The project will be executed in three phases.
9. Muharraq 500 Bed Hospital	Construction of a new medical complex at Muharraq by Ministry of Health covering various specialties.	BD49MM	The project is in the tendering stage. A.A. Nass contracting is the lowest bidder.
10. Sh. Khalifa Highway	Extension of the existing Sh. Khalifa Bin Salman highway beyond Hamad Town area.	BD13MM	The project is under constructing.
11. Bahrain International Airport Expansion	Construction of a new terminal and other facilities.	BD76MM	The project is in the tendering stage.
12. Privatisation of Bahrain's	The project entails leasing the operation of Mina Salman and Al Hidd	N.A.	The mandate has been given to a joint venture

Ports	new port to a private operator.		between MAERSK and YBA Kanoo. Terms are not Known.
13. Bahrain-Qatar Causeway and Gas Pipeline	Negotiations between Bahrain and Qatar governments started in 2001 for construction of the causeway between the two countries which would include a pipeline to supply Qatari gas to Bahrain.	U.S.\$1bn	The project is in the initial stage.
14. Bahraini Saudi Crude Oil Pipeline	To replace the existing old pipeline that transmits crude oil from Saudi Arabia to Sitra Refinery.	U.S.\$100MM	According to Bapco sources the project is presently put on hold (June 2004).
15. Durrat Al Bahrain Highway	Construction of 28 km highway that will link Durrat Al Bahrain Resort at the south of Bahrain to Manama area.	BD18MM	The project is in the design stage.
16. GCC Electricity Grids	The project is to link the power grids of Bahrain, Kuwait, Saudi Arabia and Qatar in the initial stage. Oman and UAE are expected to join at a later stage. The project involves awarding 13 contracts in the four countries. Saudi Arabia will contribute 40% of the cost. Completion is expected by 2008.	U.S.\$ 1.25 bn	Contracts for Phase I of the projects has been signed in Saudi Arabia in early November 2005. All contractors are international companies.
17. Bahrain International Investment Park at Hidd	The project targets to promote formation of new companies at the new industrial area at Hidd. Phase I consists of development of 240 hectare.	App. BD600MM	The project is sponsored by Tameer. Further information is being obtained.
18. Expansion of Sitra Causeway	To expand Sitra bridge to cope with increasing traffic on the route.	App. U.S.\$150MM	The project is in the tendering stage.
19. New Firms to hold State's tourism assets.	The government has approved a proposal to establish a holding company to acquire government's stakes in tourism projects such as Durrat Al Bahrain, Al Areen Resort, Lulu Islands, Southern Area Development Co., Bahrain Family Leisure Co. and Seef Properties Co. About BD100MM of capital will be accounted for by the state's tourism assets and the remainder of BD150MM will be sold to the public through an initial public offering (IPO) by the end of the first half of 2005.	BD250MM	The incorporation of the two holding companies is in progress in consultation with international advisers. The cabinet has officially approved formation of the companies on 4/9/2005. The first company will own government's corporate assets e.g. Alba, Batelco etc. and the second will own lands that belong to the government.

**PRIVATE SECTOR PROJECTS**

<b>Project's Name</b>	<b>Description</b>	<b>Project's Value</b>	<b>Status</b>
1. Bapco Expansion	Modernisation of existing plant and construction of new plant for low sulfur diesel production.	U.S.\$650MM	JGC of Japan is the main contractor. The project is in the implementation stage.
2. Civil works for Bapco Expansion	As sub-contracts for the EPC contract of the expansion that is being implemented by JGC to cover construction and civil works.	BD20MM	The project is in the implementation stage.
3. 1000 MW Private Power Station	Construction and operation of a new 1000MW power plant at Al Ezzel area in Al Hidd. The project is to be executed by the private sector through IPP arrangements.	U.S.\$650MM	The project is in the implementation stage.
4. Bahrain Financial Harbour	The project combines business, leisure and residential components and is being developed on the Manama seafront. Construction of Phase 1 which has already started in February 2004 is expected to take 18 months. This phase comprises construction of an eight-storey financial mall, two 50-storey towers for commercial and residential use, and an eight-storey harbor house. The cost of phase 1 is U.S.\$250MM. Gulf Finance House is the placement agent and financial adviser of the project.	U.S.\$1.3bn	Al Hamad Contracting of UAE is the main contractor for phase 1. Work is on process.
5. New Petrochemical Complex	Kuwait Finance House has announced its plan to construct a large plant for production of petrochemical products in addition to electricity and water. Financing will be arranged through participation of institutional and individual investors.	U.S.\$1 bn	The implementation is expected to start during the next 18 months. Feasibility study is presently in progress.
6. AL Futtaim Commercial Centre	The project will be similar to Deira City Centre in Dubai. It will include a 5 star hotel and a commercial center at Al Seef District.	U.S.\$400MM	The main contract has been awarded to Cybarco/WCT joint venture for BD160MM.
7. Touristic Village at Budayea	The project will be constructed on 100,000 sq.m. at Budayea on a land that was purchased at a cost of U.S.\$12MM. The promoters are Saudis (31%) Bahrainis (20%) and Italians (49%). The project will include an international hotel, villas, shops and other touristic attractions.	U.S.\$100MM	The project is still in the initial stages. The consultant is Al Waffa Int. Investment Co.

8. The Diplomat Hotel Executive Apartments	The project involves construction of 15-storey extension featuring bedroom apartments and a limited number of VIP penthouse suites.	BD7MM	The implementation of the project started in 2004, and expected to be completed in 2006.
9. Expansion of Seef Mall	The project involves expanding the mall's total area by one third of its current space. The project has been approved and expected to be completed in 24months.	N. A.	The project is in progress.
10. Arad Fort Touristic Project	Arad Fort will be used as a background to construct a sound and light project which will also include a local market, restaurants, theatres and other touristic attractions. The promoter is Kamel Abu Ali who constructed similar projects in Egypt.	N.A.	The project is still in the early stages.
11. Zallaq Resort	Construction of 5 star hotels and challets on the site of Bapco beach at Zallaq.	BD21MM	The operating Co. of the project has been formed. The company will seek bank finance shortly to start project's implementation.
12. Commercial Complex at Sanabis	The project entails construction of three towers and a commercial complex at Sanabis near Al Dana Mall. The project will be established on 200,000 sq.ft site. The first tower will be for offices, the second tower will be for residential apartments and the third tower will be a hotel.	U.S.\$100MM	The project is in the implementation stage.
13. Expansion of Sponge Iron project	To increase the production capacity of the existing plant at Al Hidd that is owned by Gulf Industrial Investment Co.	U.S.\$390MM	The project is in the tendering stage.
14. Bahrain Hotel's Apartments	Construction of 15-storey building with 100 fully furnished flats. Expected completion date is 2006.	BD3.5MM	The project is in the implementation stage.
15. Banagas LPG Plant Expansion	Banagas is planning to revamp its existing liquefied petroleum gas processing and storage facilities. The progress will depend on the result of negotiations with Qatar in respect of supply of natural gas.	N.A.	The project is still in the early stages.

16. Privatisation of Horse-Riding Club into a Tourism Town	The Ministry of Finance & National Economy and Regens Group have signed a MOU in August 2003. The proposed tourism town is to contain 1500 housing units, a hotel and Arabian horses museum.	U.S.\$500MM	The project is in feasibility study stage.
17. Executive Building at Diplomatic area.	Construction of 25-storey building near Ministry of Justice. The owner is Sh. Salman Bin Ali Al Khalifa.	BD10MM	The project is in the tendering stage.
18. Al Deyar Real Estate Project	Al Deyar is the investment arm of State of Qatar and it is presently considering a real estate project in Bahrain. The project's location and design has not been decided yet.	U.S.\$ 500M	The project is in the very early stages.
19. Salam & Sabaa Resort Projects	The promoters are Dubai Holding company and group of investors. The project will be constructed on an area of 500M sq. m. near Formula One location. Target completion date is March 2007.	U.S.\$2bn	The project is in the early stages.
20. ARCAPITA Bank Project	Reclamation of 400,000 sq. mt. opposite the Diplomatic Area for construction of residential buildings and touristic attractions including the head office for the main promoter (Arcapita Bank).	U.S.\$ 1 bn	The project is in the initial stages.
21. Shuwaifat International School	A branch for the Lebanese private school which will be constructed on an Island at Amwaj project. The school includes classes for KG's, Primary, Middle and Secondary stages. The project consists of classes building and residential buildings for the teachers and students and other facilities.	BD9MM	The construction works has already started as part of Amwaj project, and the school is scheduled to be opened in September 2006.
22. Palace Hotel	Construction of a royal hotel at the sea coast near Formula One area, consisting of 300 rooms and other facilities. The investors are from UAE.	U.S.\$ 600MM	The project is in the initial stages.
23. Chamber of Commerce & Industry New Headquarter	20 storey building at new Sanabis of which 14 storeys will be rented and the rest to be used by the Chamber. The project is expected to be completed by end of 2006.	BD8.5MM	The main contract has been awarded to Cybarco.
24. E.K. Kanoo's New Workshop at	New Vehicle service workshop and associated facilities. The site will cover an area of 82M sq.m. Chapo is main contractor and completion is	BD5MM	The project is in progress.

Tubli	scheduled for September 2006.		
25. Car Plant at Al Sakhir	A joint venture is in the process of being formed by RUF – Automobile of Germany and the local Rashed Janahi to establish a high-end car manufacturing facility close to the Formula One racetrack at Al Sakhir. The plant will have a built up area of 20M sq.m.	BD19MM	The project is in the very early stages.
26. Star Cement Factory Expansion	A subsidiary of Star Cement – UAE is Planning for doubling the capacity at the existing plant at Hidd (ex Hyundai Plant) to reach 1.2MM tonnes a year.		The project is in the design stage.
27. Royal University of Women	The promoters who are local and GCC businessmen and companies will be setting up a university for women only in Bahrain in affiliation with Mc Gill University of Montreal, Canada and the Middlesex University of U.K. Target number of students is initially app. 500.	BD7MM	The project is in the construction stage.
28. United Stainless Steel Co.	A newly formed company owned by GIC of Kuwait (30%) and other local and regional investors for manufacturing of stainless steel plates. Capacity will be 950 tons. Construction of the plant will take 3 years. A.A. Nass has been selected as the main contractor for civil works.	BD80M	The project is in progress.
29. Al Areen Desert Spa & Resort	A joint venture between Gulf Finance House and MOFNE. The project is close to the new International racetrack at Sakhir. The project will be completed in stages, beginning with the Oasis Spa Resort covering an area of appx. 300,000 square meters.	U.S.\$750 MM	Egra Group of Lebanon has been appointed to carry out the master planning of the project. Al Hamad Contracting Co. of UAE is the main contractor.
30. Ain Adhari National Park	The developer is a team including the local Al Khaleej Development Co. (Tameer) and Kuwait Commercial Complexes Co.	BD9.1MM	The local Gulf House Engineering has been awarded the design consultancy contract on the project.
31. Twin Tower Block at Amwaj Island Resort	Two 23-storey residential towers are being developed by the local Al Damur Real Estate Co. Each tower will house 80 apartments along with leisure and parking facilities. The project will be located at the commercial district of	BD19MM	Abu Dhabi – based Syrconsult has been appointed to prepare concept designs.

	Amwaj Resort, facing a lagoon.		
32. World Trade Centre	Two 50-storey towers under construction on the seafront side of the Sheraton Hotel complex in Manama. The developer is a private company owned by members of the royal family. The project is due for completion in June 2006.	U.S.\$150MM	A joint venture of the local A. A. Nass and Murray & Roberts of South Africa are presently carrying out the main construction contract. The UK-based property consultant DTZ has been appointed as marketing and leasing agent for the project.
33. Al Futtaim Cinema Complex	20 cinema theatres housing 3600 seats in the new Bahrain City Center being developed by Majid Al Futtaim Investments Co. A leasing agreement has been signed between Bahrain Cinema Co. and Al Futtaim to carry out the project.	BD5MM	The implementation is expected to start in the second half of 2006.
34. Fanar Beach Development	Five-star and four-star hotels along with marina and a shopping center at the Fanar Beach portion at Amwaj Islands. The developer is Ossid Property Co.	BD25MM	The developer has signed a letter of intent with an international operator to manage one of the hotels and is negotiating with another operator for the second hotel. Discussions are also under way with a contractor to build the two hotels.
35. Lube Base Oil Refinery	60:40 joint venture between Bapco and Neste of Finland to process 12,000 barrels / day of unconverted oil into lube base oil for export purposes. Target completion date is end of 2008.	U.S.\$200M	The project is in the design stage.

## 2.8 CONCLUSION

From the preceding narrative, it has become clear that prior to the onset of King Hamad's reign, Bahrain has suffered from significant problems in several key areas. Although progress was achieved and Bahrain developed accordingly, many of the underlying problems were largely left untouched by the government. Under the rule of Amir Isa bin Salman, its policy can be generally characterised as desiring to

maintain and develop within the status quo – a policy typical of some of the other GCC states at that time. This chapter has sought to highlight Bahrain's social, economic, legal, and political character from a historical perspective. This is important given that subsequent chapters will focus on showing the fundamental shift King Hamad has introduced in these broad spheres.

What can be concluded is that Bahrain is a small country with a relatively low GNP when compared with its neighbours; and that this all brings with it unique challenges. It has very few resources to its advantage other than its location. It has used up nearly all of its small oil reserves and it has a large population relative to its income. Therefore, Bahrain is a leading example of a former rentier economy adopting diversification. The secret of Bahrain's economic success in this regard is that it "stays ahead of the curve" in introducing new technology and new priorities for development. The King Fahd Causeway alone has opened Bahrain to a Middle East market of some 100 million people. During the 1970s, Bahrain did well as a financial centre for the region and in 2003, the Heritage Foundation scored Bahrain's economic freedom as the 15<sup>th</sup> highest in the world. Economically, Bahrain is open to changes in technology and trade. Culturally, it is a traditional Arab Muslim society. Politically, there has been gradual change since Bahrain's independence in 1971. However, political instability and the rise of Dubai as a competing financial centre have hurt the Bahraini economy. The economy is also constrained by competition from other countries in the area, notably Oman, Qatar, and Saudi Arabia, which are looking for foreign investment and are welcoming foreign banks and financial institutions into their countries. In addition, of course, economic factors are most often at the root of political grievances. The country shows the greatest level of socio-political stratification in the GCC and there is a long history of dissidence and overt opposition precisely because of this factor. This was exhibited most recently in the 1994-1999 period but also occurred in 1921, 1938, 1953-1956, 1965, and in a more limited situation, in the early 1970s and the early 1980s.

Its strategic position in the Gulf means that Bahrain has been subject to the religious and political tensions of a volatile area. The Shia revolution in Iran and the three Gulf wars have all required adaptation. Since its independence, Bahrain has tried hard to reform its political system and, by 1973, had its own constitution, guaranteeing legislative powers to the elected members of parliament. Although the government suspended the National Assembly in 1975, it marked a period in which economic growth continued but in this part of the world, it was not at the same level as the political development. Certainly, the Bahrain of today is very different from that of most of the 1980s and 1990s when security laws abused the freedoms of citizens and many of the opposition went into exile.

Both the promise and uncertainty created by the prospect of a generational change in leadership, in the Arab world in general and in the Gulf in particular, could bring stability and solidarity to the region. Morocco, Jordan, and Syria have witnessed successful leadership transitions. Even the Gulf, where attention is more often focused on the aging rulers of Saudi Arabia and Kuwait, has seen three new younger rulers come to power: Sheikh Hamad bin Khalifa Al Thani in Qatar in 1995, King Hamad bin Isa Al Khalifa in Bahrain in 1999, and Sheikh Khalifa bin Zayed in UAE in 2004. Both Hamads have taken bold steps that promise to transform the nature of politics in their small monarchies. But, so far, King Hamad who proclaimed himself King, rather than the traditional title of Amir in 2000, has gone the furthest and has promised the most.

Given this, the subsequent chapter, which will form a substantive element of the thesis, will provide a detailed account of the new reforms under the fourteenth ruler of Bahrain, King Hamad bin Isa Al Khalifa. The chapter will provide a comprehensive exposition of this fundamentally new era of reform in Bahrain and will indicate that it was an elite driven reform, which can be understood primarily through the distinctive characteristics of King Hamad. But most importantly, it will also establish the nature of the new reforms in the social, economic and political spheres which will then be evaluated in later chapters.

## **Chapter III**

### **The New Era of Reform**

**1999 – 2005:**

### **Legislative and Parliamentary Restructuring**

### 3.0 INTRODUCTION

Historically the government of Bahrain has sought to enhance the socio-political cohesion of this Singapore-sized island nation by carefully navigating its internal and international affairs. After the unexpected death of the thirteenth ruler Amir Isa Bin Salman, there was widespread uncertainty both within society and amongst many political elite as to what direction King Hamad would take the country. Given King Hamad's strong military background, the view that he would maintain the status quo had common currency. Indeed, as the Crown Prince and the General Commander of Bahrain Defence Force, it was widely reported that in 1986 he had insisted on going to war with Qatar without hesitation or compassion. Some considered King Hamad to be tribal orientated and thus believed he would rule accordingly. More seasoned observers of Bahraini politics expected little change from King Hamad because of both the dominant role of his uncle, Prime Minister Sheikh Khalifa, who was the *de facto* ruler of the country, and perceptions that King Hamad was under Saudi influence. These expectations and rumours epitomised the context of the time until new reforms for Bahrain were implemented. This new era witnessed a comprehensive revolution in reform of society and the long-standing political order.

The purpose of this chapter will be to provide a detailed exposition on the reforms undertaken since King Hamad's succession in 1999. This will demonstrate that the reforms implemented under King Hamad are not merely a return to the political climate prior to the suspension of the National Assembly in 1975, but actually constitute a more radical and far-reaching example of total change. In line with the central premise of this thesis, the issues raised here will be analysed and evaluated in subsequent chapters.

The structure of this chapter will firstly see some observations on why the reforms were undertaken. Here attention will be given to the idiosyncrasies of King Hamad, the nature of his advisors and the socio-economic and political context which all worked together to deliver this new revolution in reforms. Although the underlying reasons are important, it should be recognised that this ultimately is an issue that falls

outside the core parameters of the thesis as outlined in chapter one. Following from this, the chapter will then provide a detailed account of the composition of the reforms from 1999-2005. The spheres that will be examined fall into broad categories of political and legal frameworks. Economic restructuring, social initiatives and human rights issues will be dealt with in the subsequent chapter.

### **3.1 OBSERVATIONS ON THE ORIGINS OF REFORM**

The reforms implemented since King Hamad's reign began have led to a near total revision of the political order. The King is steering Bahrain into a new and exceptional era in its history, but implementing the reforms is also proving to be the most challenging political agenda the country has faced. Rather than adopting the traditional role of a *de facto* guarantor of the status quo, the King has chosen a path that challenges this very doctrine at its most basic level. Indeed, the King is aiming to secure a climate of national unity and social consolidation in order for the people to work collectively towards achieving his ambitious and pragmatic vision. For many people in Bahrain, the unveiling of the strategy was a dream come true. However, the question raised here is whether the King's reforms were merely to calm the unrest and win over international support, or were they symptomatic of his own benevolent character?

In order to fully appreciate the origins of the reforms, several factors must be taken into account. First, a discussion of the King's distinctive characteristics will be provided in order to show where his pragmatic vision stems from. Second, the input of the elite decision makers, who form the King's inner circle, will be highlighted. This will indicate that he has surrounded himself with experts and with those who share a broad outlook on the key issues that affect Bahrain. Finally, a discussion of the socio-economic and political contexts will be undertaken. Here the evidence supports the conjecture that the King can be described as a pragmatic leader who has undertaken reform in order to allow Bahrain to adeptly modernise and effectively tackle the underlying social and economic issues that it faces. Importantly, these reforms began in earnest prior to the 9/11 atrocities, which prompted a strategic

change for the promotion of reform in the international community and the United States in particular. This underscores that the reforms were domestically constituted and took on a character geared towards achieving the pragmatic vision of Bahrain's young King.

### 3.1.1 King Hamad

A key element in analysing policy formation is that of the individual level which lends itself to prescriptions that are more psychological. The manner in which political decision makers construct a view of the world is an essential component in understanding policy formation.<sup>1</sup> Indeed, this is especially true in the case of Bahrain as the reform is elite driven. These ontological factors are important in understating how policy issues, either domestic or foreign, are interpreted and acted upon.<sup>2</sup>

As has already been highlighted in chapter two, the character of King Hamad is key to understanding the origins and direction the reforms in Bahrain have taken. Whilst the subject matter of this thesis is primarily concerned with an analysis on the limitations of the reforms that have been implemented, the reader should, nonetheless, have an appreciation of the origins of the new era of reform.

One of the most central explanations of the origins of the reform process since 1999 concerns King Hamad's personality. There is little doubt that King Hamad's reform initiatives stem from a need both to maintain the survival of Al Khalifa dynasty and to benefit Bahrain's society as a whole. After all, throughout Bahrain's history, the Al Khalifa has effectively and wisely dealt with external and internal threats to ensure the survival of their sovereignty over the Islands. However, the King's own background has also contributed to his strategic decision to reform Bahrain after his

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<sup>1</sup> Yaacov Vertzberger, "The World in Their Minds: Information Processing," *Cognition and Perception in Foreign Policy Decision-making*, pp.111-91.

<sup>2</sup> Robert Snyder, et al., "Decision Making Approach to the Study of Foreign Policy," *International Politics and Foreign Policy*, ed. James N. Rosenau, New York, The Free Press, 1969, pp. 199-206; and Robert Jervis, "Hypotheses on Misperception," *International Politics and Foreign Policy*, ed. James N. Rosenau, New York, The Free Press, 1969, pp. 239-54.

succession in 1999 for better future. The King's early education in Bahrain, the learning of the Holy Quran, studying the principles of Islam, and the Arabic language at the hands of professionals in the field of Islamic studies gave him firm foundational knowledge on the need to foster solid social relationships and a clear sense of humanity and compassion. Moreover, his attendance at his father's *Majlis* where he listened to traditional stories and legends about heroes, nations, incidents and factors which contributed to victory or resulted in defeat, widened and enriched his awareness of the need for diligence in public affairs.

When Hamad was appointed Crown Prince at the age of fourteen, he developed an excellent strategic understanding of Bahrain through exposure to social, political, legal, economic, and cultural state issues. Moreover, by being involved in the decision making process from such a young age, he has grasped the skills of leadership and diplomacy.

The King studied abroad at Leys public school in Cambridge, England, and he was able to enjoy a degree of independence that was not open to him in Bahrain as Crown Prince. Not only was he able to become more adept at making decisions, but it also offered him a rich awareness of British social and political culture. He completed his secondary schooling in Britain in 1967 and thus was exposed to the radical political culture of the 1960s which may well have had a decisive impact on his character and provided the initial drive behind his vision for a reformed Bahrain. Indeed, as Henry Kissinger highlights, the question of generational outlook is one of the most important explanatory factors in a leaders' policy decision making.<sup>3</sup>

As highlighted in chapter two, on his return to Bahrain, Hamad, as Crown Prince, began a military career, which culminated on him becoming Commander in Chief of the Bahrain Defence Force. The importance of this career should not be underestimated, as it would have imposed upon him logic of thinking which was

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<sup>3</sup> Henry Kissinger, *Does America Need a Foreign Policy? Toward a Diplomacy for the 21st Century*, Rev. ed. London, Free Press, 2002, p.28-31.

geared towards the avoidance of war and need for the maintenance of peace whilst also having discipline and professionalism in leadership. As professional military individuals work within a clear 'code' of conduct, which stresses the utilitarian view that the group comes before the individual, it is reasonable to conclude that this would have fostered an inclusive outlook. When we examine his vision in detail in subsequent sections of this thesis, it is clear that he is driven by the desire to achieve national unity behind the reforms.

The further key factor that has had an impact of the formation and delivery of the reforms under King Hamad is the composition of his advisors. Since the early 1980s, as Crown Prince, Hamad surrounded himself with highly qualified local and foreign advisors who were specialists within political, economic, social, culture and religious spheres. The composition of his advisors is highly indicative: they are primarily comprised of distinguished experts in their own specific fields rather than being tribally orientated. Since the King met these advisors, who constitute his inner circle, on a near daily basis, they have played a critical role in the reform process that was characterised by a clear, forward thinking pragmatism.<sup>4</sup>

On a wider level, King Hamad had a very close personal friendship with Sheikh Zayed of the United Arab Emirates. Sheikh Zayed was widely regarded as having been a wise leader who enjoyed the widespread adoration of his people through his humility and pragmatism that characterised his tenure as President of the UAE. Indeed, their close relationship is significant as Sheikh Zayed's style of leadership, which was very much respected by King Hamad, was likely to have inspired him to adopt a similar leadership style influenced by Islam towards his people.

Other commentators have commonly observed that the historical competitiveness and tense relationship with Qatar has also been a driving force on King Hamad's outlook and vision. With this undeclared historical competition between the two countries, King Hamad may well have been further motivated to enact his reform

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<sup>4</sup> Personal observation by author and discussions with key advisors.

agenda as municipal elections in Qatar were held for the first time in March 1999 by the new Amir of Qatar.

### 3.1.2 Socio-Economic and Political Contexts

As highlighted in the previous chapter, Bahrain had pressing socio-economic difficulties that needed to be overcome in order for a substantive and stable modernisation to be achieved in the long term. Together with Bahrain's demographic structure, it is clear that a comprehensive economic reform was needed in order to address the potential security risk linked with high unemployment and poverty. Two interlinked reasons can be used to explain King Hamad's response towards these socio-political and economic challenges: one is to reform Bahrain for the benefit of all sections of society, and secondly, to reconstitute the social contract<sup>5</sup> between the Al Khalifa and the people.

Under the leadership of Amir Isa bin Salman, there was a clear emphasis on the maintenance of security in order to uphold the political order and to ensure the loyalty of key tribes within Bahrain through granting them political and economic powers. Whilst this did achieve its objective, a negative consequence was that it fostered social, political, and economic alienation within both Sunni and Shia sects who were outside the wider circle of tribal elites who supported and benefited from maintaining the status quo. This political order directly fuelled unemployment, poverty, and resentment at the inequality within Bahrain: a clear example of this was the widespread violent riots in the 1990s.

With the succession of King Hamad, the actual durability of the existing political order with the Al Khalifa retaining its historical position could not continue unless a revolutionary overhaul of Bahrain's system was undertaken. Compounding this understanding on the pressing need for reform, King Hamad's own background and the main factors that contributed in the formation of his character as a leader, as

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<sup>5</sup> The social contract refers to John Locke and Jean-Jacques Rousseau's conception on how the legitimate basis of sovereignty comes from its relationship with civil society, and of the rights and duties constituting the role of a citizen within this mutual contract.

discussed above, were fully commensurate with the goal of reforming Bahrain to benefit society as a whole. Therefore, in light of these unique and complex challenges, it can be argued that the reform agenda of the King was geared towards both addressing the fundamental challenges of Bahrain and also reforming the social contract between the Al Khalifa and the people of Bahrain. Indeed, this redefinition by King Hamad was premised on a more egalitarian and inclusive basis, which will be shown in subsequent sections, and can be considered a complete departure from the past.

### **3.2 A PERIOD OF CONSULTATION AND PREPARATION (1999-2000)**

Following the death of Amir Isa bin Salman, King Hamad quickly began to solicit the views of Bahrain's society in an unprecedented fashion. In an approach that distinguishes him from his father, the King showed a willingness to consult with Bahrain's wider society as he entered into a national dialogue with those who outside the narrow circle of decision makers and those who were beneficiaries of the old order. Indeed, consultations were conducted beyond the traditional tribal allies to include all disenfranchised sectarian groups within Bahrain's rich and diverse society. This was a clear break from the past.

Whilst the substantive reforms only began in 2001, it is important for us to recognise what character this unprecedented period of national dialogue actually took. The reason for this is that it underscores the means by which the King saw his vision ultimately being achieved: the establishment of a stakeholder society whereby all of its citizens had a role to play in achieving the modernisation and liberalisation of Bahrain.

King Hamad instituted a number of reform measures that had an immediate and strong impact, but it is instructive that they originated from the unprecedented national dialogue he undertook. Stemming from his religious background his action was commensurate with what God has said in the Holy Quran about the consultation

with people “and consults them in affairs (of moment).”<sup>6</sup> It also states that: Those who hearken to their Lord, and establish regular prayer; who (conduct) their affairs by *mutual Consultation*; who spend out of what we bestow on them for Sustenance.<sup>7</sup>

King Hamad was keen to enrich the formula of consultation through the exchange of views with various national groups by a constant national dialogue. Accordingly, the King made a number of preliminary consultations towards the reform agenda in addition to royal gestures as an initial step in the reform process. These led towards the formulation of a general plan for the reform process as will be discussed below.

### 3.2.1 Consultation

The King opened a dialogue with all government institutions, governorates, and different sects of the population with the aim of soliciting their views and needs in a modernised Bahrain. Examples of the consultation process included:

- The King visited leading Shia religious figures in their houses to discuss the referendum with them.
- On an almost daily basis the King met with group of local and former exiles opposition figures, journalists, and representatives of civil societies at his palace.
- The King visited on 20 March 1999 the Bahrain Defence Force (BDF); on 30 March 1999 the National Guard; and on 3 April 1999 the Ministry of Interior. All three visits were to show appreciation for their effort to ensure the country’s stability after the death of his father and to inform them about the reform plans.

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<sup>6</sup> The Holy Quran, [159] (*Al-i-‘Imran*).

<sup>7</sup> *Ibid*, Emphasis added. [38] (*Ash-Shura*).

- On 10 May 1999, the King visited Saudi Arabia on the occasion of the GCC exceptional summit and enlightened members about the future changes he planned for his country.
- On 31 July 1999, the King visited the BDF to communicate some of his initiatives for internal stability, including the National Pardon.
- On 15 November 1999, the King met all the heads of churches in Bahrain to express the country's welcome of Christianity alongside Islam, and to inform them that he will be meeting the Pope.
- On 16 December 1999, King Hamad delivered a speech in which he announced the future shape of the municipality councils, described the development of the Consultative Council, encouraged the press to practice more freedom in order to bring forward people's opinion and needs, and confirmed Bahrain's readiness to welcome all Bahrainis who wanted to return. Moreover, he announced that women would have the right to vote and to run as candidates.
- On 17 July 2000, King Hamad visited the Municipality of Muharraq; on 28 February 2001, he stopped over the Municipalities of Southern and Western provinces; on 2 October 2001, he visited the Northern Municipality; and on 27 December 2001, he visited the Capital Municipality. Again, his aim was to break the ice between the ruler and his ruled.
- On 8 September 2000, the King delivered a speech at the summit of the United Nations General Assembly in which he focused on peace and stability in the world, unofficially briefed the main international delegations about his drastic changes, and listened to their remarks accordingly.



- On 25 September 2000, the King invited and received the Bishop of the Roman Orthodox Church. His agenda was an attempt to win the churches support along with that from other religious sects.
- On 16 December 2000, the King made a speech in which he announced that the country would move into a new era following a well-studied plan that arose from the national dialogue with professionals.
- On 13 March 2001, King Hamad received a group of businessmen.
- On 1 December 2001, the King organised a special audience for religious clerics and leaders along with a number of senior ruling family members and state figures.
- On 16 December 2001, the King delivered a speech, which focused on the importance of improving the economic conditions of citizens through working closer with the government increase the wealth of the country through economic development.

### 3.2.2 Royal Gestures towards the Reform Initiative

In line with the King's unprecedented consultation with Bahrain's society over what character the reforms should take, he undertook a series of gestures aimed at addressing the most commonly held concerns of those who felt disenfranchised within society. Moreover, it also served the purpose of garnering wider public support for himself: this allowed the King to show his seriousness in his reform agenda and also to garner support for the implementation of the revolutionary reforms. Some of the key initiatives were:

- The release of all political prisoners.
- All exiles were officially allowed to return to the country.

- The Security Laws and the Security Court, that allowed police to hold prisoners without charge for up to three years, were abolished. This also included the removal of the Head of Internal Security, Ian Henderson, who was widely criticised for the tactics he employed in maintaining internal security.
- The King granted a one-month basic salary to government employees, reduce the monthly instalments for all beneficiaries of housing services, reduce electricity fees for the benefit of limited income citizens, and reduce custom duties with the aim of reviving the country's economic drive.

### 3.2.3 Objectives for the Reform Process

A product of the national consultation process was a series of objectives formulated by the King. These encompassed strategic objectives in social, political, and economic spheres and were geared towards modernising Bahrain's state institutions in order to improve their quality in civil society for the new millennium. The restructuring plans can be summarised as follows:

- Rebuild Bahrain's position in order to become the financial and economic centre in the region.
- Develop the institutional bodies and system of the state and move from the formula of a progressing state established by his father, and to enter a new stage of modern state that mirrors people's ambitions and copes with various international changes.
- The formation of the Supreme National Committee with the participation of individuals to represent all sectors of the state and community. The task of the committee is to draft the national action charter, a contract of pledge, and a firm formula for a new social covenant that would solidify and cohere Bahrain's nobility, distinctive and cultural heritage.

- A comprehensive and balanced modernising of powers, including executive, legislative and judiciary powers. With regard to the legislative body, the King believed that the democratic and constitutional developments in the world meant adopting and introducing the bi-cameral system, whereby the members of the deputy chamber are freely and directly elected by the citizens and have legislation duties. In addition, there is a *Shura* (consultative) council, made up of clear-sighted professionals who are able to give proper advice and guidance. With regard to the judiciary power, the King sought to activate judicial bodies with the aim of speeding up the processing of legal cases while emphasising the independence of these bodies.
  
- The King also announced that the committee assigned to draw a draft for municipalities' law had already accomplished this, and that the draft had been referred to the concerned body for further action.

### **3.3 THE NATIONAL ACTION CHARTER**

After retaining ultimate control over the Bahraini political system, King Hamad made significant moves to open up the political system. On 23 November 2000, King Hamad established the Supreme National Committee in order to draft a new National Action Charter (NAC) for Bahrain. This charter would transform the country into a constitutional monarchy and reaffirm the constitutional premise of the government. The Committee was also set the remit of suggesting amendments to the original constitution of 1973. The Committee comprised forty-six leading Bahrainis, including six women and several leading governmental and private sectors individuals, and set out a plan of action to map the country's political and institutional development. The Committee examined the experiences of political institutions in other countries such as the United Kingdom, Singapore, Egypt, and Kuwait.

It promised to create a bicameral system, similar to the UK, with a directly elected legislative house and a consultative appointed house. It also safeguarded individual

freedoms and equality, including the freedom of religious belief and expression, the establishment of a public accountability committee to ensure the state's financial and administrative transparency, and freedom for civil society to form Non-Governmental Organisations (NGOs) and unions. The liberal-minded Crown Prince, Sheikh Salman bin Hamad, was in charge of the implementation of the NAC.

The NAC was then redrafted, based on the recommendations and criticisms that followed, and then subsequently approved in February 2001. On 14-15 February 2001, a referendum was held which had a 90% turnout of the electorate. Both men and women were able to vote on the new NAC. The government subsequently announced that 192,262 out of 217,000 eligible Bahrainis had voted, with 191,790 (98.4%) in favour of the NAC, which backed the proposal for a constitutional monarchy and an elected legislature. What was most extraordinary was the support for the referendum from leading Shia clerics, which emphasised the significant reconciliation between the government and the Shia community.<sup>8</sup> In summary, the principal provisions of the NAC are as follows:<sup>9</sup>

### 3.3.1 Chapter I: Basic Principles of the Society

The first chapter considered the core values, principles, and responsibilities of the entire society including:

- Goals and basis of the government. Justice is the basis of the government. Equality, rule of law, liberty, security, peace, education, social solidarity, and equal opportunity are all core principles of the society that are ensured by the state.
- Protection of individual freedoms and equality. Stipulations are given on how personal freedom and equality were to be guaranteed.

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<sup>8</sup> Opposition groups believed that people rushed to vote for the NAC for two reasons. First, most Bahrainis supported the prospect of change as an alternative to the status quo. Second, many feared that the referendum was a means for the security apparatus to identify discontented elements (this perception was reinforced when voters' passports were stamped, making boycotters readily identifiable in the future).

<sup>9</sup> The National Acting Charter for the State of Bahrain of 23 December 2000.

- Freedom of belief. The state guarantees freedom to practice religious rites according to the considered custom of the land.
- Freedom of expression and publishing.
- Civil Society Activities. The state ensures the freedom to form non-governmental, scientific, cultural and professional associations and unions.
- Family as the basis of society. Protection for the family and the state's responsibility to care for those in need.
- Employment as both a duty and a right.
- Education, culture, and science. The right to education and to academic freedom.

### 3.3.2 Chapter II: Government System

This chapter defines the structure of the state. The government system of Bahrain is defined as a hereditary constitutional monarchy with the Amir as head of state and Supreme Commander of the armed forces. He appoints premiership and ministerial posts within his powers as prescribed by the constitution. Islam is the religion of the state and Islamic *Sharia* is the principle source of legislation. The people are the source of all powers and the government system is based on checks and balances and depends on the separation of power between the three branches (legislative, executive, and judiciary). The Amir is the head of the three powers. The sovereignty of the law is the basis of rule and therefore the independence and immunity of the judiciary are fundamental warranties to protect rights and liabilities. Citizens, men and women alike, have the right to participate in public affairs, including suffrage, and the right to contest according to the law.

### 3.3.3 Chapter III: Economic Fundamentals of the Society

The third chapter defines the economic foundations of Bahrain and includes:

- The principle of free economy: the economy system is based on individual initiative, freedom of capital movement in terms of investment and transfer. An Auditor General and Administrative Supervisory Authority is to be instituted for bureaucracy to become more transparent.

- Private ownership: private property is guaranteed.
- Economic justice and balanced contracts: economic justice is secured through legal adherence to contractual relations.
- Diversification of economic activity and sources of national income: the diversification of economic activities has promoted economic development and offered employment opportunities.
- Environment and wildlife: preventing and addressing major environmental problems.
- Public property and natural resources: both citizens and the state should protect public property. All natural resources are property of the state and the best ways and means to utilise them must be put into place.
- Labour and training: the state must ensure greater employment opportunities for citizens.

#### 3.3.4 Chapter IV: National Security

The fulcrum of national security is to strengthen the armed forces (BDF and NG), and the Ministry of the Interior is to enable them to maintain security and public law.

#### 3.3.5 Chapter V: Democratic Life

The government remains to be fully receptive to the feeling of the people and, hence, has worked for the sole purpose of saving public good. The fifth chapter also drafted the background to parliamentary activities, with an emphasis on the role of the *Majlis al-Shura*. It asserts that many deep-rooted democracies have adopted a bicameral legislative system, with one chamber to represent the trends and thoughts of the people on contemporary issues, and the other to operate as a chamber for competent and experienced members.

#### 3.3.6 Chapter VI: Gulf Relations

Chapter six affirms Bahrain's commitment to the GCC and pledges to work for more coordination within the GCC in such areas as the economy, defence and information, as well as for furthering people's participation in the GCC.

### 3.3.7 Chapter VII: Foreign Relations

This chapter highlights Bahrain's Arab identity, its membership in the Arab League, Organisation of Islamic Conferences, and the United Nations, and its belief in the peaceful settlement of disputes. The state stands for free international trade, movement of investment, capital, and labour while taking into account the national interests of individual countries.

Despite the principal provisions of the NAC, areas of the NAC remained unclear. It neither specified the role of the elected assembly vis-à-vis the chamber dissolved in 1975, nor the role and powers of the legislative branch as a whole in relation to the executive one. The size of the proposed chambers was not specified, nor was there any indication of how differences between them would be resolved. Furthermore, the charter specified that the King would have the authority to appoint and dismiss the prime minister and cabinet.<sup>10</sup> However, despite its limitations, many Bahrainis supported the prospect of change as an alternative to the status quo.

## 3.4 AMENDMENTS TO THE CONSTITUTION OF 1973

On 14 February 2002, one year after the referendum that endorsed the changes outlined in the NAC, King Hamad presented Bahrain's amended Constitution which provided for a bicameral legislature (the National Assembly), and transformed Bahrain into constitutional hereditary monarchy. The official title of the country changed to the Kingdom of Bahrain, and Hamad was declared King.<sup>11</sup> The differences between the 1973 constitution, which was modelled on Kuwaitis, and the amended constitution of February 2002 are crucial to understanding the true character of the reform. Only by analysing and appreciating the differences can we identify where change has taken place and from this draw conclusions of both differences and opportunities facing the reform project. In order to do this, what will follow is a comparative analysis of the two constitutions. For better understanding

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<sup>10</sup> Nadeya Sayed Ali Mohammed, "Political Reform in Bahrain: The Price of Stability," Middle East Intelligence Bulletin, Vol. 4 No. 9, September 2002, p. 225.

<sup>11</sup> Kingdom: beside its common dictionary meaning (a country that is ruled by a king or queen), but it also mean a place that contain all different groups and ethnicities living together.

and clarity, the two constitutions are presented in Appendix-1.<sup>12</sup> The main differences between the amended Constitution of 2002 and the 1973 one are as follow:

- The State became a Kingdom.
- The Head of State became 'King' instead of 'Amir'.
- The regime of the Kingdom was hereditary and now became hereditary constitutional monarchy.
- Women are granted more rights. They have the right to vote and to stand for election.
- The 1973 Constitution had five years period before it could be amended from the effective date of its commencement, where the 2002 one has no limitation.
- The amended Constitution included that the State should take necessary measures for the protection of the environment and the conservation of wildlife.
- Public jobs are a national service entrusted to their incumbents, and State employees should have the public interest in mind when performing their jobs.
- Foreigners should not be entrusted with public posts except in those cases specified by law. Citizens are equal in the assumption of public posts in accordance with the conditions specified by law.
- Dual nationality is allowed.
- Sex discrimination is added in the Human Dignity and Equality article.
- The National Assembly consists of two chambers: the Consultative Council and the Chamber of Deputies.
- The Chamber of Deputies comprises forty members elected by a direct, secret general ballot in accordance with the provisions of the law.
- The King could extend the legislative season of the Chamber of Deputies by Royal Order for a period not exceeding two years.
- Constitutional Court was established and comprised a president and six members, all of whom are appointed by a Royal Order for a period specified

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<sup>12</sup>For further reading see the Constitution of the Kingdom of Bahrain 14 February; 2002, Bahrain Constitution of 6 December, 1973; Hussain Al Bohrna, "Al Bahrain bein Dostorain", Dar Al Konoz Al Adabyah, Beirut, Lebanon, 2005, and Abdul Rahman Al Noaimi, "Al Bahrain: Al Azma Al Dstoria", Dar Al Konoz Al Adabyah, Beirut, Lebanon, 2004.

by the law. The court's area of competence is to watch over the constitutionality of laws and statutes.

- The Financial Control and Audit Commission established in the 1973 Constitution was attached to the National Assembly. However, the Financial Control and Audit Commission of the 2002 Constitution reports directly to the King, does not review income or expenditures of the Royal Court, and the King can dissolve it.

### **3.5 REFORMS TO THE SYSTEM OF GOVERNMENT**

King Hamad made a few changes to the structure of his government to cope with the new reform and challenges (see Figures 3.1 & 3.2). Although the government is dominated by the executive but technically is formed from executive, legislative, and judicial branches. Therefore, each of these three branches will be discussed below in turn.

#### **3.5.1 The Executive Branch**

It should be noted that the King, as the Head of State according to Article 33 of the 2002 amended Constitution, is the head of all powers in the Kingdom.<sup>13</sup> The following are some of the main powers of the King:

- Appoints and dismisses the Prime Minister and the cabinet.
- Appoints the president and members of the Consultative Council.
- The Commander in Chief of the armed forces.
- The Chairman of the Higher Judicial Council and appoints judges.
- Has the right to call for a referendum on any issue he deems important.
- Can rule by decree and dissolve parliament.
- Has the right to veto laws passed by the National Assembly.
- Has the power to amend the constitution and propose, ratify, and promulgate laws.

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<sup>13</sup> Ibid, Art. 33.

The Cabinet of Ministers consists of the prime minister, who is the president, and any number of ministers, as may be needed or as public interest may require. The ministers conduct all affairs of the state, both internal and external, in the name of the King. The prime minister, who is appointed by the King, only proposes and does not appoint the Cabinet of Ministers. The cabinet is entrusted with the responsibility of administering all affairs of the kingdom as specified in the constitution and the King's orders, verbal or written, do not absolve it of liability. The prime minister and the ministers are collectively responsible before the King in respect of the general policy of the state. In addition to this collective responsibility, each minister is exclusively responsible for the conduct of his respective ministry and departments before the House of Deputies. The ministers must attend sessions of two Houses of Parliament to answer questions put to them by members of parliament, explain the actions taken and the policies followed by the government, and seek approval for government-introduced draft legislation.<sup>14</sup>

### 3.5.2 The Legislative Branch

Under Chapter III of the 2002 Constitution, the legislative power (that is, the National Assembly) is bicameral and consists of the Consultative Council (*Majlis Al Shura*) and the Chamber of Deputies (*Majlis Al Nuwwab*). The King appoints the member of the *Shura*, while deputies are directly elected by national suffrage, with men and women eligible for election.<sup>15</sup>

#### (1) The National Assembly:<sup>16</sup>

- Holds an annual session and can be called to an extraordinary session by Royal Decree if the King deems it necessary, or if so requested by a majority of members of either chamber.
- It needs a quorum of more than half of its members to hold a valid meeting.
- Passes resolutions by an absolute majority of the members present.

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<sup>14</sup> Ibid, Art. 45, 46, 47, and 48. See also, Law of Internal Regulation of Deputies House, Art., 36, 37, and 56.

<sup>15</sup> Constitution 2002, Art. 51.

<sup>16</sup> Ibid, Part 3 and 4.

- Is chaired by the President of the Consultative Council or, in his absence, by the President of the Chamber of Deputies.
- It does not monitor state financial affairs as, by virtue of Decree No. 16 of July 2002, the National Audit Court reports directly to the King. Moreover, it does not review income or expenditures of the Royal Court.

(2) The Chamber of Deputies:<sup>17</sup>

- Has 40 members elected by universal adult suffrage for four-year terms in forty electoral districts.
- The Speaker of the Chamber of Deputies is elected by the deputies at the beginning of every term.
- Has a role in considering legislation, such as proposing and amending laws, but legislative authority still resides with the King.
- Can be dissolved by the King.
- There are five committees for the Chamber of Deputies:
  - The Legislative and Legal Affairs.
  - Foreign Affairs, Defence and National Security.
  - Financial and Economic Affairs.
  - Services.
  - Public Utilities and Environment.

(3) The Consultative Council<sup>18</sup>

- Has 40 members appointed by the King for four-year terms.
- The King appoints the President of the Council and the President serves as the Chairman of the National Assembly and has the cast vote in the case of a tie.
- There are same five committees to the Consultative Council just as in the Chamber of Deputies.

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<sup>17</sup> Ibid, Part 2.

<sup>18</sup> Ibid, Part 1.

### 3.5.3 The Judicial Branch

The Bahraini Constitution guarantees the independence of the judiciary and clearly states: “Judges are independent, and in the exercise of their judicial functions they are subject to no authority but that the law, while the King must approve the appointment and dismissal of judges.”<sup>19</sup> In practice, these are supervised by the Higher Judicial Council, which makes independent decisions regarding periodic recommendations submitted to it by the Ministry of Justice.<sup>20</sup>

The Courts of Law, in their varying types and degrees, exercise the judicial power and their judgments are given in accordance with the law and pronounced in the name of the King. These courts are open to all and are free from any interference in their affairs. Their sittings are public, unless the court considers that it should sit in camera in the interest of public order and morals.<sup>21</sup>

The courts in Bahrain are divided into three main categories:

- Regular courts that include Courts of First Instance, Courts of Appeal, and Courts of Cessation (the court of cessation is a court of law and not a trial court). This type of court has the jurisdiction of civil, criminal, and family law cases.<sup>22</sup>
- *Sharia* Court that rules on issues of Muslims’ personal status according of Islamic law and jurisprudence. There are two branches as pointed out earlier: one for Sunnis and the other for Shia.<sup>23</sup>
- Special Court, Police Court, and Military Court. These types of court have only a criminal cases of jurisdiction for military personnel accused of offences under the Military Code of Justice.<sup>24</sup>

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<sup>19</sup> Article 104

<sup>20</sup> Judicial Power Law, Article 2, and 5.

<sup>21</sup> Ibid, Article 3, 4, and 5.

<sup>22</sup> Ibid, Article 6.

<sup>23</sup> Judicial Power Law, Article 1

<sup>24</sup> Constitution 2002, Art. 105 b, See also the Criminal Military Law, Art. 12.

It is important after all to explain briefly the process of legislation in Bahrain. When the government intends to introduce a new law, it first charges the Directorate of the Legal Affairs to present the first draft of the law concerned. After preparing the first draft of the law, the Minister of State passes it to the Cabinet of Ministers for discussion. The Prime Minister, in turn, sends it to the Speaker of the House of Deputies along with good reasons for the introduction of such a law and a formal written letter requesting the approval of the House of the drafted law.<sup>25</sup> The latter is under obligation to send the draft to the chief of the legislative and legal affairs committee.<sup>26</sup>

The internal regulation of the House of Deputies neither defines any specific time within which the speaker should pass the draft law to the legislative and legal affairs committee chief, nor specifies the maximum time limit in which the chief and the members should meet and discuss the said legislative proposal. However, when he receives the first draft of the law, the chief of the committee is obliged to invite all members of the committee to discuss each article of the draft. Then, the committee members must write their report, including their suggestions and recommendations, and state whether or not the draft is satisfactory for the amendment of the defective articles.<sup>27</sup>

The report, which contains the committee's discussions, suggestions and recommendations, has to be sent to the Speaker of the House of the Deputies, who is required by law to inform the government of the result of the legal committee meeting's. If the legal committee are satisfied with the draft law, the Speaker of the House of the Deputies is authorised by the constitution to arrange meetings for full discussion of the draft law. All members of the committee must sign the report.<sup>28</sup>

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<sup>25</sup> Constitution 2002, Art. 81.

<sup>26</sup> Internal Regulations of Deputies Council Law, Art. 29.

<sup>27</sup> Ibid, Art. 38.

<sup>28</sup> Ibid.

In the House of Deputies, the law project should be read publicly, article by article.<sup>29</sup> Then debates and votes on legislation in conjunction with the government should be arranged. The house speaker then passes a draft approved by the majority of the house members to the Consultative Council for debate and vote.<sup>30</sup>

In the Consultative Council, the draft law becomes subject to the same process as in the House of Deputies. If approved by both houses, the draft is submitted to the King, who either grants consent through a royal decree or returns the draft appended with a statement justifying refusal.<sup>31</sup>

Finally, it is to be noted that in cases where the national council is not sitting or is dissolved, upon the recommendation of the Prime Minister the King has the power to issue a provisional law covering matters which require necessary measures, no delay, or expenditures incapable of postponement. Such a provisional law, which shall not be contrary to the provisions of the constitution, has the force of law so that if it was placed before the Assembly at the beginning of the next session, the Assembly may approve or at least amend the law.<sup>32</sup>

As part of the constitutional reforms, the government also announced the creation of an independent financial supervisory body on 3 July 2002, with a mandate to monitor state expenditure and investigate cases of embezzlement, negligence, and financial violations.

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<sup>29</sup> Ibid, Art. 104.

<sup>30</sup> Ibid, Art. 121.

<sup>31</sup> Ibid, Art. 70.

<sup>32</sup> Constitution 2002, Arts. 38, and 39.

Figure 3.1: The System of Government Before the Reform

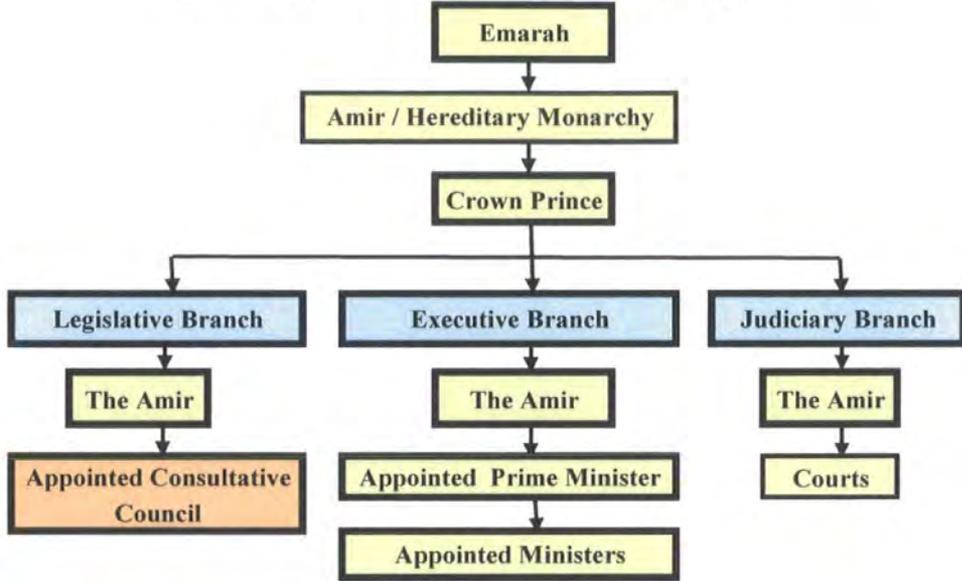
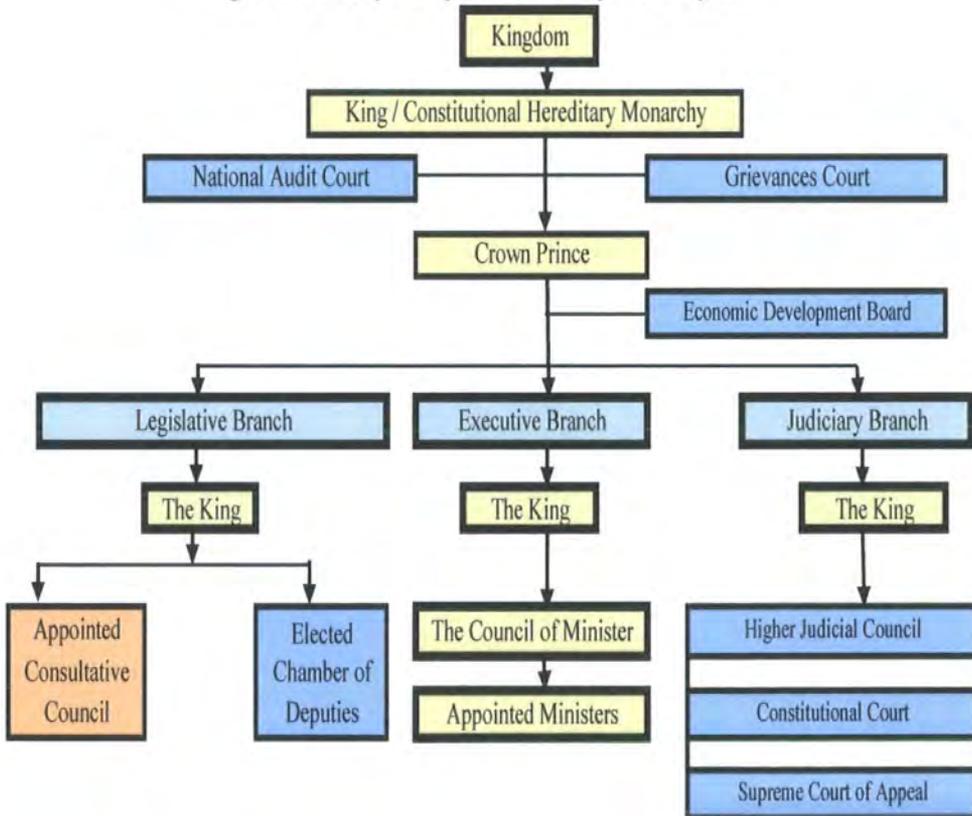


Figure 3.2: The System of Government After the Reform



### **3.6 MUNICIPAL ELECTIONS**

The first municipal elections since 1957 took place on 9 May 2002. For many Bahrainis, it was new experience of voting for political representation. Women had the right to both vote and stand as candidates. All Bahrainis from the age of 18 and over had the right to vote and the turnout was higher than expected. Three hundred and six candidates ran in these elections, including thirty-one women. The first round of voting saw 51.28% of registered voters coming to the polls. In some areas turnout was as high as 76%, whilst the lowest polling station recorded 40%.<sup>33</sup> Women made up 52% of voters. The second round of voting saw a 55% turnout. Candidates with links to Islamist groups won the majority of seats as expected.<sup>34</sup> Although women made up 10% of candidates, none were elected. Out of the fifty municipal seats, candidates associated with Islamist societies won thirty-eight, with the remainder won by independent candidates.<sup>35</sup>

The local government consists of twelve municipalities. A nominal municipal system has been in place for several decades, but until 2001, these twelve administrative bodies enjoyed little autonomy. In 2001, King Hamad promised to give more autonomy to them. The result was the creation of elected councils in 2002 to represent the views and interests of each municipality.

### **3.7 THE PARLIAMENTARY ELECTIONS**

The parliamentary elections, which were scheduled for 2004, took place on 24 October 2002. Although the King must have had a good reason to bring the parliamentary elections forward, the parliamentary election would be healthier if it had been kept to its initial date on 2004. Despite a boycott by some members of opposition, the elections were historic and the turnout for the parliamentary elections was a respectable 53.48 % in the first round. However, most of the elected and the electors were more or less excited passionate rather than matured enough to understand the principals of election and their contribution to the reform.

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<sup>33</sup> The report of the Supreme Committee for 2002 Election, July 2002, Bahrain.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

From Plan 1 (The Golden Era) below, the three years from 2001 to 2003 was an opportunity to bring political, economic, and social adaptation to its maturity and brought together the different public opinion trends. It adopted liberalisation principles and educated Bahraini citizens to identify their rights and obligations towards their homeland versus the rights of their homeland towards them. It made the majority of citizens enter the reform phase with a better understanding of their responsibilities and the objectives of the liberalisation programme. This period may well serve as the link that establishes the prerequisites of the success of the upcoming experiment, not granted to the previous parliament, which came on the heel of Bahrain independence during the period from 1970 to 1973.

The Golden Era underscores the paramount importance of developing a standardised and innovative curriculum of national education and the building of the character of the responsible citizen. These issues were the focus of the Crown Prince's concern in his address on his appointment as Chairman of the Charter Activation Committee. He stated:

*One of the fundamentals of building a modern state is the building of the character of the responsible citizen who pursues self development drawing on his/her own creative and innovative ideas and energies, the citizens who serves as an example for others to emulate in the area of ethics and good Samaritan ship.*<sup>36</sup>

The intent of this initiative, built on the recognition of the other, is to reinforce the politician, the economist, the sociologist, the military and the regular citizen in order to prepare the fertile social soil before the seeds of the liberalisation reform may germinate.

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<sup>36</sup> *Al-Ayam*, 29 November 2000, [www.alayam.com](http://www.alayam.com)

*Plan 1: "The Golden Era"*

**Objectives of the Period between the Declaration of the Charter And  
The Establishment of the Parliamentary Two Chambers**

2000	2001	2002	2003	2004
<p><b>Period of the declaration of the National Action Charter</b></p>	<p><b>This Golden period of time has crystallised into the following:</b></p> <ul style="list-style-type: none"> <li>▪ Gradual and measured thinking, planning, and transformation</li> <li>▪ Education of society for a future era (establishment of sophisticated civil culture)</li> <li>▪ Introduction of national education curricula and building up citizenship, belonging, and loyalty</li> <li>▪ Self-education</li> <li>▪ Melting and bringing closer the various attitudes and ideas for waging into a future political experience within a single national concept</li> <li>▪ Education of parliamentary candidates to ensure that national interest prevails over any personal benefit.</li> <li>▪ Education of electorates to ensure the selection of the right person</li> <li>▪ Elimination of religious, political, and ideological radicalism</li> </ul>			<p><b>Establishment of the bicameral parliamentary houses legislative and consultative</b></p>

However, the new parliament has a lower elected chamber of 40 members, and an appointed upper chamber, or *Shura* (consultative) chamber also of 40 members. Both chambers would serve four-year terms.

The elections were historic not only because they were the first for the country's new bicameral legislature, but also because it was the first time in which women cast a vote and run for parliament since their grandmothers voted in the first municipal

elections in the Gulf during the 1920s. The voting of military personnel from the BDF, NG, and the Ministry of Interior was debatable. At first the government was hesitant to allow armed forces personnel to vote because giving their vote to a candidate could shift their loyalties to his/her beliefs when the duty of these forces is to protect the country and not to be affected by political opinion. However, the King permitted the military personnel to vote since the inclusion of the entire population gave legitimacy to calling the assembly the National Assembly. However, in Kuwait (before allowing women to vote and run as candidates in May 2005), only about 15% of the total population has voting rights. All women and the men serving in the armed forces and men under twenty-one but above 18 were excluded from voting. Therefore, in this case it is not right to call the assembly the National Assembly. A national assembly should have the representation of the entire population in a country.<sup>37</sup>

Meanwhile, the turnout for the parliamentary elections was a respectable 53.48 % in the first round, despite a boycott by some members of opposition in protest against the *Shura* Council's right of veto over legislation proposed by the elected chamber. Not surprisingly, Al Khalifa family members did not run for municipal or parliamentary elections. Over half of the 40 Members of Parliament elected were Sunni Islamists, with just 12 Shia and a handful of businesspersons making up the rest, see Table 3.1.<sup>38</sup>

*Table 3.1: 2002 Parliamentary Political Compositions*

Societies	Number of Seats
The Islamic Forum Society	8
<i>Al Islah</i> (Reform) Society	7
<i>Al Shura</i> (Consultation) Society	1
The Islamic League Society	4
Other Leftist and Liberal Parties	6
Independent Candidates	14 including 4 for the NAC Society

<sup>37</sup> Mohamad Al Rumaihi, "Political Reform in Kuwait: Let's Begin Everything with National Assembly," An Article in several newspapers in Bahrain and Kuwait, 25 February 2005.

<sup>38</sup> Retrieved from *AL Nuwab* web site, [www.nuwab.gov.bh](http://www.nuwab.gov.bh).

As women did not gain any place in the parliamentary elections, King Hamad attempted to redress this situation by appointing four women to the Consultative Council. The King appoints members of the Consultative Council and he included Shia, Sunni, Christian, Jewish, and Indian representation. The council's purpose is to debate and pass legislation alongside the elected Chamber in the bicameral parliament. The National Assembly held its first joint sitting on 15 December 2002. Its first term ran until the end of May 2003, and its second term began on 11 October 2003. The extra parliamentary opposition continues to campaign for changes to be made to the amended 2002 Constitution or to bring back the 1973 constitution.

As a result of King Hamad's compliance, the government put forward considerable resources to encourage as many people as possible to vote. The elections themselves were noted for the use of state of the art technology and for transparency. They were successful in terms of the government's neutrality, smooth in organisation, and the participation of women. It was an important step in the right direction to a constitutional monarchy.

### **3.8 CONCLUSION**

One of the most striking features of the reforms that have taken place in Bahrain since the onset of the reign of King Hamad is that they are directed towards a revolutionary overhaul of the political order. Not only have the reforms been far reaching in political and legislative spheres but they have also reconstituted the traditional social contact towards countering the dissatisfaction that existed under the old order of Amir Isa bin Salman.

The origins of the reforms underscores that Bahrain's is a fascinating and unique case in political modernisation. The King has shown a realisation that policies pursued by his predecessor, though successful in preserving stability in the monarchic practice of power in Bahrain, were not a sustainable exercise. With rising unemployment, poverty and political decent, the need to combat these challenges head on was not only a necessity for King Hamad because of his

benevolent outlook, but pragmatically it was a strategy which he needed to achieve in order to ensure the survival of the Al Khalifa dynasty. Whilst it is outside the scope of this thesis to evaluate the origins of the reforms process, it is reasonable to conclude that this radical reformist agenda is progressive and tailored towards fulfilling the needs and aspirations of all of Bahrain's society.<sup>39</sup>

The King's pledge to revive the liberalisation experiment in the Kingdom underscores an awareness of the popular basis of monarchic authority. The design of the charter, the debates around it, the nature of its introduction, and the implementation of its recommendations mark the first successful top-down execution of wide-ranging political reforms in the GCC. In this case, the leader is himself the revolutionary agent, rather than the protector of the status quo and of so-called 'conservative values'.<sup>40</sup>

Despite its small size, the structure of Bahrain's society is clearly very complex, particularly with regard to the Shia and Sunni divide. It is clear that an integration of interests must now lead to the establishment of a pluralistic political system: a new long-required sense of social agreement. The previous government was characterised by random, disorganised cabinet restructures while the present King's reforms, to some extent, seem measured and justified.

As this chapter has demonstrated, the character of the reforms was implemented in legislative and parliamentary spheres. The following chapter will provide an empirical account of economic restructuring, social initiatives and human rights issues. When combined with this chapter, the reader will have a comprehensive understanding of the essence of the reforms undertaken in this new era. The evaluation of these issues will then take place in subsequent chapters.

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<sup>39</sup> *The Middle East Quarterly* (MEQ), Dec. 2000, Volume vii: Number 4

<sup>40</sup> Anoushiravan Ehteshami, "Reform from above: the politics of participation in the oil monarchies," *International Affairs* Volume 79, Number 1, January 2003, p. 66.

## **Chapter IV**

### **The New Era of Reform**

**1999 – 2005:**

### **Economic, Social, and Human Rights Initiatives**

#### 4.0 INTRODUCTION

With the onset of King Hamad's reign, he was quick to recognise that there were some unintentional consequences from the previous regimes system of rule. Whilst Bahrain was able to achieve numerous successes, especially in structural terms, during its modernisation undertaken by Amir Isa bin Salman, it was not able to fully keep pace with the needs of its increasing population. Accordingly, the official unemployment rate in 1999 was approximately 15% and steadily rising.<sup>1</sup> Compounding this, poverty was becoming a much more widespread problem throughout the country, especially amongst those groups who felt disenfranchised under the old order. The knock on effect of this was that such impoverished conditions, coupled with a growing level of unemployment and underemployment, were fostering dissent within civil society and creating a clear security challenge.

The new era of reform in Bahrain was not limited to legislative and parliamentary restructuring, but also encompassed the key spheres of social, economic and human rights. In many respects, King Hamad initiated a reformist journey for Bahrain which was geared towards a complete overhaul of the status quo that epitomised the order under his late father. In terms of the enactment of reform in the spheres under question in this chapter, a two tiered strategy was implemented: his vision was set out through a succession of speeches, dealing with social, economic and human rights issues, and he also gave a number of royal gestures in order to show both his seriousness for this new agenda and garner widespread support for this plan. Indeed, as has been highlighted earlier, King Hamad's vision for a more egalitarian stakeholder society required the active participation and support of a true cross-section of society.

The purpose of this chapter will be to build on the preceding exposition on parliamentary and legislative reforms by showing the other spheres of socio-economic and human rights reforms that have been undertaken since 1999. The

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<sup>1</sup> The 2001 census of population by the Bahrain Government.

structure of this chapter will firstly cover the initial generic initiatives. Here attention will be given to the importance of these steps prior to the actual implementation of reforms. Additionally, this chapter will then provide a detailed account of the King's speeches with regard to the economic, social, and cultural aspects in order to provide a clear account of his strategic vision. The spheres that will be examined fall into broad categories of: economic restructuring, social initiatives and human rights issues.

#### 4.1 INITIAL GENERIC INITIATIVES

Ahead of the referendum on 5 February 2001, The King took everyone by surprise when he emptied jails of opposition figures and invited exiled opposition figures to return home. Twenty or more exiles entered Bahrain in the next few days. Two prominent exiles, Sheikh Abdul Nabi Ali Qafud and Sheikh Isa Qasim, returned home to Bahrain on 8 March 2001 after seventeen and nine years of exile respectively.<sup>2</sup> Sheikh Ali Salman (whose arrest in 1994 had triggered the unrest) returned on 19 March after six years in exile, and Sayid Hayder Al Sitri returned the following day after being deported in 1995. By April, nearly all exiles had returned. Monsoor Al Jamri, the son of Sheikh Abdul Amir Al Jamri and head of the Bahrain Freedom Movement in exile, returned for a visit in June and had his citizenship restored by the government in July. The King also abolished security laws that allowed police to hold prisoners without charge. The majority of the stateless *Bidoons*<sup>3</sup> have been granted citizenship.

Moreover, King Hamad called for independent judiciary, authorised a much freer press (the founding of the country's first independent newspaper "*Al Wasat*" in September marked an improvement for freedom of the press),<sup>4</sup> and freedom of

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<sup>2</sup> The reader should not be confused by the word '*Sheikh*'. This word is commonly used in Bahrain for the individuals of the Royal Family and for the religious men. To distinguish between them one should follow the last name and if it ended with *Al Khalifa* then '*Sheikh*' here mean the individual is from the royal family.

<sup>3</sup> *Bidoons*; are those individuals who has been living in Bahrain for a long time and has not been granted citizenship. Even those who have been born in Bahrain were also denied citizenship.

<sup>4</sup> In Bahrain there are five daily newspapers; *Akhbar Alkhaleej*, *Alayam*, *Alwasat*, *Alwatan*, and *Alwaqt*, and one weekly newspaper (*Alahad*) every Wendsday.

religion. He declared municipal and parliamentary elections giving every Bahraini, male or female, the right to vote. Political societies were allowed to select election candidates, act as parliamentary blocs, hold internal elections, campaign for public support, and host political gatherings. The King permitted public gathering or demonstration, honoured the human rights, and generally provides all aspects of liberalise society.

King Hamad has managed to reach out to his people through a number of royal gestures to repair the damages occurred through the past years and to meet the needs and demands of many Bahraini citizens. Some of these gestures have served short-term needs; others served the long-term ones:<sup>5</sup>

▪ **Salary Bonus for government employees**

In December 2000, the King awarded all civil servants at various sections of the government ministries, directorates, and facilities a one-month salary bonus to cover up increasing living costs.

▪ **Exemption of electricity bills for 10,000 families.**

Among the Bahraini people, there are thousands citizens who live under or close to poverty. Accordingly, the King, in December 2000, exempted 10,000 families from full payment of electricity bills. He preferred transferring these expenses of a vital humanitarian service onto the Kingdom's account in an attempt to reduce the financial burden on his less fortunate people.

Furthermore, in July 2002, the King ordered all overdue payments of electricity and water to be cancelled for families receiving social benefits. Approximately eight thousand eight hundred and fifty five families benefited from this act of generosity.

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<sup>5</sup> An excellent Arabic/English book by the Ministry of Commerce showing most of the King's gestures, "*Kingdom of Bahrain: a Year of Achievements*," Bahrain, 2003, pp. 12 – 33.

- **Pardoning of prisoners**

For many years, the rulers of Bahrain have always chosen special occasions to pardon and release prisoners to help them and their families have new start. The King was no different. Every year since his reign, the King orders the pardoning of numbers of prisoners on the National Day of each year. This showed his faith that those released would appreciate being pardoned before due time and given a chance to become constructive members of the community.

- **Collective wedding ceremony for 2000 citizens**

The King issued another goodwill gesture in January 2001 for many young men and women who cannot afford the high cost of wedding arrangements. He ordered to have a collective marriage scheme for 2000 couples on a single occasion, with all expenses taken care of by the royal gesture.

- **Pardoning of political detainees**

In February 2001, the King ordered the release of all Bahraini who detained or imprisoned on politically related charges. This gesture saw hundreds of detainees and prisoners released overnight with all charges dropped regardless of their gravity. Due to this single initiative, the Kingdom became possibly the only country that had no political prisoners. The royal pardon included even those charged with vandalism, arson, and manslaughter. This step played a crucial role in clearing any shadows of doubt about the true intentions of the King towards the promised reforms.

- **Royal order of pardon**

On 31 December 2002, New Year Eve, a group of young men damaged hotels, shops, and vehicles. They were later accused of sabotage and vandalism. Investigations revealed that the perpetrators were merely a group of reckless youths who had wrongly expressed themselves, while taking advantage of the atmosphere of freedom and democracy in the Kingdom.

Despite their reckless behaviour, the King in March 2003 issued a royal order to pardon them, setting a good example of nobleness and forgiveness, to give the perpetrators the opportunity to repent and feel regret for their actions.

▪ **Royal order for returnees**

The king in October 2002 sent a special aircraft to bring the last group of 230 citizens who were living in Iran back to their home nation. The new returnees were extremely delighted to become Bahraini citizens again with full citizenship rights.

▪ **Financial support for the unemployed**

Unemployment is world wide challenge that threatens various countries. Bahrain is one of the countries that experience unemployment aspect as many of the unemployed were undergraduates and postgraduates and as each year pass, these numbers are increasing. The situation was becoming increasingly worse as hundreds of new school and university graduates were pouring into the desolate world of unemployment year after year. In May 2001, the King decided to support the unemployed financially until each of them found a job. This open-handed financial aid helped those young Bahraini citizens to support themselves and remove some of the financial burden they were imposing on their families.

In addition, the King ordered in January 2002 Bahrain Defence Force to recruit a large number of young men as military personnel. Overnight, hundreds of young Bahrainis had been given a bright future to look forward to, jobs that paid well, and a better quality of life.

▪ **Fees slashed at the University of Bahrain**

Free education during compulsory school years is a privilege that not many nations enjoy. The Ministry of Education has always offered thousands of Bahraini and non-Bahraini citizens free education during their elementary,

intermediate, and secondary schooling. However, hundreds of new graduates from public schools being deprived of going on to higher education due to high enrolment fees. A secondary school certificate was not enough to grant them a decent job. Therefore, for the thousands of students who could not afford to continue with higher education, they became yet another name on the unemployment list. The King, in May 2001 decided to solve this problem and ordered tuition fees at the University of Bahrain to be reduced by approximately 80%. Although he opened up the future for citizens to get what they have always dreamed to do, the wisdom behind this gesture was to insure the spread of education to among a wider group of citizens so his reform become more acceptable and applicable by an open minded people than inadequate sectarian ones.

In February 2002, the King decided to go a step further by doubling the number of students fully exempted from all tuition fees at the University of Bahrain. Students were from needy families who deserved the financial support. The Royal Court supported some of the students, others were taken care of by the PM's Court, and others received support from the Ministry of Labour, Ministry of Defence, as well as many other societies and charities.

#### ▪ **Sponsorship of Orphans**

Orphans are phenomenon appears all over the world, and Bahrain is no exemption. The common orphans' supports in Bahrain are through charities. But many wealthy families and corporations have also generously sponsored young orphans until they graduated from school, university or started working. Accordingly, the King, in July 2001 formed a fixed committee to take full responsibility for providing the necessary aid to every eligible orphan in the Kingdom. This gesture covered a large number of needy orphans and their families and ensured that the donations and aid were a fixed and continuous source of income covering their day-to-day expenses.

▪ **Exemption of housing instalments for families**

There are enormous numbers of Bahrainis who have earned government houses and pay instalments to the Ministry of Housing. This was a burden on certain families whose sources of income had declined sharply with the passing away of their breadwinners or/and faced with the rapid increase of living cost. They had debts piling up and even risked the evacuation from their homes. In September 2001, King Hamad ordered that all the families within this category be exempted from paying housing instalments to the government and allow them to own the homes immediately with no further conditions.

In January 2002, the King again ordered his government to reduce the monthly instalments for all homeowners to be half the amount they were paying. This gesture gave the opportunity for many Bahraini citizens to become owner of the properties they were living in faster than they expected to do so.

▪ **Four new townships for 50,000 families**

Due to the rapid increase in population over the past years, many families have had their applications for home pending for ten years or more. The demand has become an alarming situation. Accordingly, in December 2001 the King ordered the building of four major cities built in different locations to accommodate more than 50,000 Bahraini families.

Additionally, in order to give underprivileged citizens the right to secure family life, the King in August 2003 ordered the construction of a modern village, comprising 50 units for the inhabitants of Block No. 332 in Saqiya Area (Manama District).

▪ **Financial support for widows**

Following the King's decision to sponsor numerous orphans, and his decision to exempt many families from housing instalments, he, in November 2001 turned his attention to all the nation's needy widows. Many of them were

unemployed and had depended on their husbands for income and a decent living. Following their partner's death, they often left with little or no income, and with huge responsibilities and debts. This gesture provided a fixed and continuous source of income to cover their day-to-day expenses. This humane and generous deed created a strong sense of security and stability for the beneficiaries.

▪ **Ramadan (fasting month) provisions for 10,000 families**

In November 2001 the King, offer Ramadan provisions to ten thousand families. Sheikha Sabeeka, Chairwoman of The Supreme Council for Women, carried this out in collaboration with the concerned Ministry, through social centres all over Bahrain.

▪ **Distribution of 30% of *Seef* Property Company shares**

For the improvement of the living standards of Bahraini citizens with limited income, the leadership made them active partners in the resources and wealth of the nation. The King in October 2001 passed his instructions to privatise *Al Seef* property Company and to distribute 30 percent of its shares to this class in order to advance their social conditions and allow them to participate in the nation's growth actively.

▪ ***Sitra's* new mall**

This is another project for Bahraini citizens with limited income. The King in December 2001 gave his directives to build a new shopping mall in *Sitra* village, and to have again a substantial percentage of this project allocated to the needy families of *Sitra*. Hundreds of families now have something new to look forward to, and future full of hope.

▪ **Reduction of customs tariff to 5%**

Out of his keen desire to alleviate the burdens on citizens, the King in December 2001 issued an order to reduce customs tariffs from 7.5% on

commodities, and 15% on cars to only 5%, including all imported goods and vehicles as from January 2002.

▪ **Financial support for medical students**

Usually students of medicine who finish their studies in Bahrain or abroad have to do a one-year internship in one of the major hospital as the final part of their preparation. In December 2001, the King ordered a monthly payment to be paid for all medical students in their internship at *Salmaniya* Medical Centre. The young doctors welcomed the King gesture for many were in need for financial support at that period.

▪ **Citizenship**

Many residents in Bahrain do not enjoy Bahraini citizenship, and therefore do not benefit from the rights of citizenship. The King in October 2002 ordered the Directorate General of Immigration and Passport Affairs, to grant Bahraini passports for the remaining residents with no citizenship. He also issued a royal order, allowing the return of all individuals who were living abroad with no Bahraini passports and had Bahraini relatives.

The King was hoping that such action would help all citizens to come together and take part in national development, to inspire the feeling of patriotism in young generations and evoked their allegiance towards the Kingdom.

▪ **Granting football players a villa and BD 20,000**

After their brilliant run but failing to qualify for the 2006 World Cup, the King in November 2005 met the national football team and gave words of support for the future competitions. The King ordered to grant each player a villa and BD 20,000 (\$53,000) and wished them better luck in the forthcoming events.<sup>6</sup>

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<sup>6</sup> Gulf Daily News, "*King Greets Soccer Team*," 18 November 2005.

## **4.2 THE KING'S SPEECHES: ECONOMIC, SOCIAL AND CULTURAL REFORM STRATEGIES**

If the NAC and the amended Constitution were the essential tools to modernise the political structure of the state, the “Speeches” of the King were no less crucial too. The Speeches were uniquely brought about the others important aspects of reforms such as the economic, social, and the cultural. In each speech, since he came to power, King Hamad commits himself, and the government, to a program to improve Bahraini individuals’ position in society and to participate in the reform process. He has believed that the economical situation of the society must be improved, because the reforms do have certain prerequisites. There has to be a minimum standard of living that allows an individual to be truly independent from economic coercion. Accordingly, he began encouraging the principal of free economy; invited external substantial capital inflows for investment; and big projects through the development of the law of ownership, which permitted foreign investors to buy and sell land and properties in the Islands. Such a program will create economic development and offer employment opportunities to citizens. To do so require a new public administration mindset, one that is oriented to a streamlined procedure, transparency, elimination of jurisdictional overlapping, improved services and updated economic legislation within a framework of integrity and equal opportunity.

### **4.2.1 Economical Aspects**

King Hamad pledged oil revenue windfall to improve citizens’ standard of living.<sup>7</sup> He almost in every speech directs the concerned authorities in the Kingdom to deem the economic developments as the main strategic objective to raise the living standard of the citizens and revive the national economy. Some of the related speeches are as follow:

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<sup>7</sup> All Bahraini Newspapers, “*Bridges to a bright and vibrant Bahrain,*” Saturday, 4 February 2006.

Quote from the King's Speeches	Key Observations
<p><i>In our persistence to boost the links of love and friendship that Bahrain has always been keen to promote with all, and through our believe that Bahrain which has an ancient civilisation must keep with pace with the cultural movement, we have made several fruitful visits to a number of brotherly and friendly countries with the aim to enhance the status of Bahrain at both Arab and international domains, and to continue the path of development and openness and also to achieve further development and investment with brothers and friends.</i><sup>8</sup></p>	<p>Enhance foreign economical relationship with the entire world. The King visited All Gulf States, most of the leading countries in the Middle East, America, UK, China, Italy, France, and many other developed countries. Several Memorandum of Understanding were signed during these visits to boost relations with these countries</p>
<p><i>We are greatly confident that our Bahraini civilised society is blessed with much potential of real progress upon which we can build in the path of political, administrative, and economic development. Such path we highly believe in and consider it as a source of richness for our traditions of consultation, and as a pattern for governmental development and for accomplishing the comprehensive progress and diversifying of the national</i></p>	<p>Applying the consultation system on economic development and to diversify the national economy to benefit Bahraini citizens.</p>

<sup>8</sup> Ministry of Information, “The Speeches of His Majesty King Hamad bin Isa Al Khalifa, King of Bahrain,” Ministry of Information publication, Bahrain, 2002, p. 18.

<p><i>economy in the interest of the people of this nation and every piece of this soil.<sup>9</sup></i></p>	
<p><i>We also closely view the intent of our Crown Prince and Commander in Chief of the Defence force Sheikh Salman bin Hamad al Khalifa to come for the youth, develop of the BDF, keenness to follow up economic growth and encouragement of investment with the aim to raise the living standard of the citizens and revive the national economy. These is fact reflect the aspiration of Bahrain youth towards better future. Certainly, the removing of barriers and restrictions before the economy and the opening of future investment opportunities, away from political and administrative procedures, are among the essential needs for the desired economic growth. In fact Bahrain has the solid growth and for free economy which streamline the achieving of this objective.<sup>10</sup></i></p>	<p>The King brought new task for the CP where he engages him to follow up economic growth and encourage investment with the aim to raise the living standard of the citizens and enrich the national economy.</p>
<p><i>Certainly, the removing of barriers and restrictions before the economy and the opening of future investment opportunities, away from political and administrative</i></p>	<p>Try to smooth the progress of the government bureaucracy from local and foreign investment prospects.</p>

<sup>9</sup> Ibid, p. 50.

<sup>10</sup> Ibid, p. 51.

<p><i>procedures, are among the essential needs for the desired economic growth.<sup>11</sup></i></p>	
<p><i>. . . to reduce custom duties with aim to revive the economic drive in the country.<sup>12</sup></i></p>	<p>Reduce custom duties in a step to encourage trades and reduce investment costs.</p>
<p><i>Since assumed the rule, we have pledged to bring in every goodness for the people of this nation, giving priority to raise the living standard of the Bahraini citizen, notably those of limited income. We believe in involving all categories of the society in the economic and social development process and the need that every group receives its fair share of the fruits of growth and of the wealth of the nation. In pursuance of this objective, we continue to cultivate and distribute the economic prosperity through further policies of free economy, the privatisation of projects, the drafting of laws and discipline that tackle recession and unemployment and also to open a wide scope for free trade competition that avert monopoly and avoid duality of interests.<sup>13</sup></i></p>	<p>The main concern of the King was the Kingdom's ability to raise the living standard of the Bahraini citizen, notably those of limited income. He wants all citizens to benefit from the fruits of growth and from the wealth of the nation.</p> <p>Moreover, he requested the government to enhance free economy, the privatisation of projects, the drafting of laws and disciplines that tackle recession and unemployment and also overcome monopoly and avoid duality of interests.</p>
<p><i>Bahrain also represents a financing and investment centre benefiting the world economy, due to its sound economy and</i></p>	<p>Showing the importance of Bahrain's location and the high standard of its people as measures to attract foreign</p>

<sup>11</sup> Ibid, p. 52.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid, p. 76.

<p><i>liberalised system, a fact which gave Bahrain the position of the most economically liberalised country among Arab and mid-eastern states. Therefore, this place has remained a destination for many international companies that chose Bahrain to be their headquarters.<sup>14</sup></i></p>	<p>investments.</p>
<p><i>Internationally and where the whole world turned to be an entity, which has common shares in sorrow and in joy. The achievement Bahrain made in receiving the status of a U.S-non NATO Major Ally has not accidentally occurred due to a certain event or passing interest, but in fact come out as a objective expression of the historical links over more than a century and since was launched thorough humanitarian projects, notably the American Mission Hospital which remain and over a century provide true services for Bahrain and its neighbours in the Gulf. Out of this Major-Ally status we shall mainly gain economic benefit for the prosperity of Bahrain people, since this strategic partnership gives Bahrain a seat in the forum of advanced countries in Asia and the Orient. Marking the event, I extend to the friendly U.S president George W. Bush the gratitude of Bahrain over his</i></p>	<p>The key issue here is to show how Bahrain work hard through the history to fulfils international requirement and catches the highly developed countries attentions. As a consequence, Bahrain Received the status of a U.S-non NATO that will gain economic benefits for Bahrain people. This strategic partnership gives Bahrain a seat in the forum of advanced countries in Asia and the Orient.</p>

<sup>14</sup> Ibid, p. 77.

<p><i>endorsing of our joint protocol that grants Bahrain this highly positioned status in the world.<sup>15</sup></i></p>	
<p><i>Our dear people, as we reiterate our pride with what the legislative and executive branches have together accomplished in a short time, we wish to recall our directives at the beginning of the third session of the Parliament's first term, about completing the nation's laws, reorganising the family status and focusing on the economic development issues that we consider paramount to the restructuring of the national economy for the sake of all people.<sup>16</sup></i></p>	<p>Steering the legislative and the executive branches to give economic reform top priority to exercise their role in restructuring the national economy.</p>
<p><i>The progress of reforms and modernisation will continue incessantly. It encompasses the areas of economy, education, management, and public services.<sup>17</sup></i></p>	<p>The King focused on economic aspects as one of the most important factor of his reforms.</p>
<p><i>The legislative bodies should work on improving the laws related to the workers' status and their working conditions in order to benefit from the new opportunities created by the world's conversion to the</i></p>	<p>The King is expressing his concern in regard to the improvement of laws related to the labour market.</p>

<sup>15</sup> Ibid, p. 78.

<sup>16</sup> All Bahraini Newspapers, The King speech in 16 Dec. 2004.

<sup>17</sup> Ibid.

<p><i>market economy and to the free economy system.<sup>18</sup></i></p>	
<p><i>I am satisfied with the work of His Highness the Crown Prince and his team in analysing and addressing the situation of the labour market in Bahrain. The final account, which was approved after consultations with the various sectors in the country, will keep up with the demands of the economic activity in Bahrain.<sup>19</sup></i></p>	<p>The King was wisely using the encouragements statements to motivate the CP for more work and efforts in reforming the economy.</p>
<p><i>Based on my close knowledge about the history of labour in Bahrain, I have deep trust in the capabilities of our workers to adapt to the economic changes. Our workers have a wealth of experience to draw on as they move forward.<sup>20</sup></i></p>	<p>The King praises and motivates the national work force to better performance.</p>
<p><i>Within the framework of our anxiousness to see effective participation by merchants from the country and businessmen from abroad in present and future investment projects, the competent bodies must strive to further facilitate business and commercial procedures, for that is a priority of the economic reform you have begun through a more precise verification</i></p>	<p>Requesting all experts of the field to cooperate, and to put more effort for the economic development of the country.</p>

<sup>18</sup> All Bahraini Newspapers, "Talks on National Awareness: Second Talk," 30 April 2005.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<p><i>of revenues and expenditure, in fruitful cooperation with the Government.</i><sup>21</sup></p>	
<p><i>We have directed the Economic Development Board to set overall plans which cover the lands of the Kingdom for 25 years, to determine the proper utilisation of these lands for the welfare of all people.</i><sup>22</sup></p>	<p>Showing his concern towards the scarce of lands and the necessity to make the best use of it.</p>
<p><i>We also value the important role that is carried out by the Economic Development Council which is headed by His Highness the Crown Prince and BDF Commander-in-Chief. The Council has undertaken the task of advancing economic policies that aim to bring about the participation of the private sector and honourable citizens in shouldering the responsibility, while the State coordinates and regulates the process. In order that the executive branch and all its directorates are better able to fulfil citizens' needs, each ministry will define the priorities of its work and its basic objectives as a starting point to renew the Government program in this stage, so as to serve everyone. You will</i></p>	<p>Showing the role of all governmental organisations in implementing the EDB's economic development strategies.</p>

<sup>21</sup> All Bahraini Newspapers, The King speech in 1 Oct. 2005.

<sup>22</sup> All Bahraini Newspapers, The King speech in 16 Dec. 2005.

<p><i>have an important role in evolving that, for it is within your competence.</i><sup>23</sup></p>	
<p><i>Therefore, the legislative authority is required to speed up the enactment of laws which are necessary to safeguard political rights and economic freedoms, and protect the security of Bahraini community, particularly women and children, and security of all citizens in general.</i><sup>24</sup></p>	<p>Again requesting the legislative branch to speed up laws that help the development of the economy.</p>
<p><i>The reform of the labour market will continue to be a subject of discussion and attempts to reach understanding, accompanied by gradual progress in practice in accordance with current economic factors and the extent of their development.</i><sup>25</sup></p>	<p>Developing the labour market.</p>

On activating the development of the economic aspects, King Hamad wisely transformed as indicated earlier, the long historical border dispute with Qatar from tension to a bright start for the future. He initiated joint ventures with Qatar, notably the causeway project, the supply of gas and the use of Bahraini skilled labour force. Furthermore, the Free Trade Agreement (FTA) with the USA, as revealed earlier, will reinforce the commercial, economic and investment sectors in the country and attract more foreign investment by advertising and marketing the FTA accomplishment.<sup>26</sup> But the FTA with the USA which the King persevere for

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> “Prime Minister call on private sector to benefit from FTA deal”, Bahrain Tribune, June 2<sup>nd</sup> 2004.

boosting Bahrain economic nearly causes difference of opinion between the most brotherly country Saudi Arabia. But, the ruler of Bahrain wisely overcome the disagreement in an exceptionally diplomatic approach to keep the long lasting relationship with the Saudis and without even disturbing the beneficially relationship with America. The incident happened in December 2004, when Saudi Arabia boycotted the annual summit of the GCC. Or, to be more accurate, Prince Abdulla, the *de facto* ruler of the Kingdom, decided to boycott the summit. The reason given for this absence was that Saudi Arabia was deeply annoyed by the fact that Bahrain, the host of the summit, had signed the FTA with the USA. Saudi Arabia complained that such a deal upset economic integration plans among members of the bloc, since it was offering to an outsider—namely the US—better trade conditions than those governing the trade between the GCC countries, which are supposed to achieve a common market.

In contrary, on March 2005, Oman sought to ease Saudi concerns about this matter as it launched talks on FTA with Washington that would be concluded by year's end. *"There is no clash between GCC economic integration and the signing of FTAs with the United States (by member states of the Gulf Cooperation Council)."* Trade and Industry Minister Maqbool bin Ali bin Sultan said just before the start of the first round of Omani-US negotiations. He added that Muscat would be happy to see Saudi Arabia gaining membership of the World Trade Organisation (WTO), which would pave the way for the kingdom to sign FTA with the United States. Additionally, UAE and USA officials also reassured Saudi Arabia after their meeting for the first round of talks on FTA in March 2005.<sup>27</sup>

Arguably, the point made by the Saudi government has some validity. But no-one believes it was the real motivation of the Saudi annoyance. This was an excuse, not the reason. In fact, there are many other reasons behind this argument: Firstly, broadly speaking, through the history of the region, Saudi Arabia has always been dominating over the Gulf oil monarchies. However, the Saudis have been steadily

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<sup>27</sup> Bahrain Tribune, "Oman Seeks to Allay Saudi FTA Concerns," 25 March 2005.

losing its grip on them since September 11th, 2001, and even more so since the fall of Saddam Hussein's regime in April 2003. The second reason was that in 1987, Saudi Arabia attempted mediation to solve the territorial dispute over the *Hawar* Islands and the *Fasht Al Dibal* reefs, but it ended in failure. Qatar was irritated by the obvious bias in favour of Bahrain by the mediator. Bahrain, for its part, was no less disappointed in King Fahd's decision not to support fully and openly Bahrain's position. As a result, the referee has managed to anger both parties. Eventually, it is the judgment of the International Court of Justice in The Hague, which succeeded in putting an end to the conflict in March 2001. This success underlines the scope of the Saudi failure, especially as for several years, the Grand Mufti of the kingdom, *Sheikh Abdelaziz Ibn Baz*, had ruled that resorting to the arbitration of a non-Islamic body was prohibited.

Thirdly, the democratisation wave around Saudi Arabia especially Bahrain has weakened the authoritarian model of the House of Saud, who is further weakened by the consequences of September 11. Saudi Arabia, in 1970s had put a great deal of pressure on Bahrain and also Kuwait to end their parliamentary experiments but could not stop the 2000s' liberalisation reforms. However, as an anger management reaction, Saudi Arabia started to retain their share of the refinery by mid 2004 from Bahrain. The fourth reason is that under the sponsorship and protection of the United States of America, the smaller sheikhdoms are freeing themselves from Saudi trusteeship. They have become bold enough to openly pursue a different path from that advocated by the Saudis. And, by embracing a new pattern of political participation (thoroughly appreciated by Washington) the tiny emirates now go as far as presenting themselves as a model for Saudi Arabia, – once their suzerain.<sup>28</sup> The fifth reason is the United States, a key ally for more than half a century, is at present openly wary of the Saudi regime, and doesn't seem any longer to consider its survival a strategic priority. Saudi Arabia, long considered America's main ally in the Gulf, has been stripped of this position. Finally, some suggested that the

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<sup>28</sup> Olivier Da Lage, "*Saudia Arabia & the Smaller Gulf States: The Vassals Take their Revenge*," CERJ, 2005, p. 6.

transformation of Bahrain to a Kingdom and the Amir became King has annoyed Saudi Arabia as it was the only Kingdom in the region.

Whatever were the reasons behind that disagreement, King Hamad manage, as a leader, to settled the matter and rebuild a stronger relation with Saudi Arabia.

#### 4.2.2 Social Aspects

The social dimension of Bahrain's reforms, partly encompassed in the economic requirements (social national security), focuses more on issues related to culture and education. The King, almost in each speech states; "*Bahraini citizens remain our top priority in all our actions.*" In his speech, on 16 December 2001, the King said; "*Since assumed the rule, we have pledged to bring in goodness for the people of this nation, giving priority to raise the living standard of the Bahraini citizen, notably those of limited income.*"<sup>29</sup> Then he added

*We do not restrict our endeavour to raising the national income, but also to bridge gaps among different sectors of the community. The channel to achieve this objective is the expanding the base of ownership while grow the share of limited income group in the wealth and national income in this country.*<sup>30</sup>

*"We launched the reforms process only to help the people of Bahrain achieve prosperity, through constitutional channels, and elevate their living standards."*<sup>31</sup>

As pointed out earlier in this chapter, The King granted many royal gestures to instantly treat the society. He ordered a number of steps to improve the situation of the citizens with limited income:<sup>32</sup>

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<sup>29</sup> Ministry of Information, "*The Speeches of His Majesty King Hamad bin Isa Al Khalifa, King of Bahrain,*" Ministry of Information publication, Bahrain, 2002, p. 76.

<sup>30</sup> Ibid, p. 77.

<sup>31</sup> All Bahraini Newspapers, King Speech in 16 December 2003.

<sup>32</sup> Ministry of Information, p. 77.

- The privatisation of *Al-Seef* Mall (the biggest shopping centre in Bahrain) and donating 30% of ownership to the needy families in this country on basis of criteria set by the concerned body.
- The development of a new commercial complex in Sitra village for the benefit of limited income groups and the donating of ownership percentage to the needy families in the area, with the state retaining a certain percentage to secure the success of the project. Additionally, develop further projects in all parts of Bahrain and privatise the shareholding for the benefit of limited income groups.
- Implementing a pan-national housing plan that benefits more than 50,000 Bahraini families and developing of four new modern towns.
- In the beginning of 2002, he reduced customs duties on all goods to 5% in order to stimulate the economy, improve the living standard, raised the purchasing power, and expands the investment business. This step was the subject of a resolution adopted by the cabinet with the aim to benefit the nation and the citizens.

#### 4.2.3 Cultural and Educational Aspects

Referring to the national culture and education, The King has always declared that the time has come to embrace these dimensions with every care and attention under the umbrella of a broad modernisation national blueprint. He said;

*“ . . . the deep vision into the history of the nation is a crucial issue that led to consolidate this national formula, primarily viewing our national struggle as an exertion to achieve a single objective of both the leadership and the people, and representing the safeguarding of Bahrain's independence and assurance of its entity against foreign avidities. It has always been that our national resolve converged on this objective, whether through the endeavour of the leadership or through*

*the initiatives of national sectors with the aim to preserve independence. The means of actions have been inconsistent due to historical and political position, and thus our exertion showed implicitly at times and apparent at other times. This has also taken the form of political feature at time and educational, religious and economic at other time.*"<sup>33</sup>

Accordingly, he ordered to have this noble national feature clearly evident when inscribing the history of Bahrain and drafting the national education curriculum and in all form of public life, including museums and the naming of road and streets as well as the building of grand national monument to be called the beacon of sacrifice, in memory of all those sacrificed in defending Bahrain.

At the level of university and college education, he directed the relevant government bodies to establish a law college consolidates law studies into the national life, considering Bahrain as a constitutional monarch, which respects rights, code, and laws similar to those civilized democracies in the world. Along with this, he also directed the establishment of a section for teaching the Islamic laws to graduate religion scholars able to serve this tolerant Islamic society. He also orders the establishment of the political development-training centre. In general, the approach is to adopt an education policy that prepares Bahraini youth to meet the needs of labour market and to cope with the needs of the national economy and to ensure that curriculum in schools and universities aim at matching with the developments and to prepare the new generations to learn the latest technological skills. In collaboration with the king request, a comprehensive curricula will cover the students of the two religious institutions to make the graduates suitable for the labour market.<sup>34</sup> The new curricula of the Sunni religious Institute and the newly established *Ja'afari* Religious Institute will not only focus on Islamic regulations and *Quran* but also cover educational social and scientific studies as well as information technology.<sup>35</sup> Furthermore, the Prime Minister, in Sunday 13 March 2005 Cabinet session,

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<sup>33</sup> Ibid, p. 80.

<sup>34</sup> Bahrain Tribune, "New Courses at Religious Institute," Saturday 26 March 2005.

<sup>35</sup> Ibid.

approved the Chamber of Deputies' decision to introduce human rights and democracy as subjects at the intermediate and secondary levels and asked the Minister of Education to consider both subjects in its curricula development plans.

### **4.3 NEW ROLE OF THE CROWN PRINCE**

The Crown Prince has played a vital role to develop Bahrain economy and on reforming the labour market. He came up, as the head of the Economic Development Board (EDB), with a proposal to develop a comprehensive reform program for Bahrain, including labour market, economic, and education and training reform, to prepare the Kingdom to proactively address the challenges it will face over the coming decade.<sup>36</sup> The study was produced by the Economic Development Board, and based it on the 100,000 new Bahrainis that will enter the labour market over the next decade. Many of these will be young Bahrainis, recently graduated from high school or post-secondary studies, which will be looking for work. Other will be women, who are entering the work force in growing numbers. Still others are currently unemployed and many not have the skills to compete successfully for adequately paying jobs. Together, they will double the current Bahraini workforce, requiring Bahrain to provide three times more jobs than it did in the past decade. Will these job seekers find work that will meet their wage and skill expectations? Will Bahrain be able to provide it for them? If not, they will face unemployment, become restless in jobs that are not sufficiently rewarding, or be forced to leave the country to look for better opportunities elsewhere.<sup>37</sup>

Unfortunately, the study faced offensively by the citizens from different level. The reasons were that the people concerned in the market with long experience have been neglected, and the solutions were unrealistic. Again, the good things about this episode, as the research is not so much concern with detailed economical issues, were the highly professional and civilised dialogue held between the CP and the concerned individuals in the market. After extensive, hot, and fruitful discussions,

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<sup>36</sup> See the EDB website, [www.bahrainedb.com](http://www.bahrainedb.com) for all the key documents and material related to the reform initiative.

<sup>37</sup> Report of the Economic Development Board presentation on September 23, 2004, Bahrain, p. 1.

the CP praised the courage of the Bahraini people, their representatives, and their vibrant social organisations, which focused on the economic problems confronting Bahrain. Paying tribute to the people's positive contributions to the forums that reviewed the labour market status, he confirmed that the interactions have fostered a better and deeper understanding of the problems plaguing the labour market, the options available, and the ways to tackle them successfully.<sup>38</sup> The CP added that the fate of all suggestions and proposals by the various business and social sectors would depend on the consensus between the people and the state.<sup>39</sup> Since when someone like the CP hold open and honest dialogues with the citizens. Before 1999, such market reform will be forced in Bahrain without considering any views from any one. But now, such event indicates the succession of the reforms and stirring towards modernisation in all area in Bahrain liberalisation programme.

#### **4.4 THE SUPREME COUNCIL FOR WOMEN**

In August 24, 2001, the King ordered the setting up of a Supreme Council for Women (SCW) to empower the Bahraini women and uplift their role in society. His Order states that the council shall be under the authority of HM the King, shall have a legal status, and shall be considered the authority to which all official quarters will refer with regard to women affairs. The council is chaired by Her Highness Sheikha Sabeeka bint Ibrahim Al Khalifa, and includes 14 members from public figures experienced in women's affairs and related activities. The council main responsibilities is to propose public policy with regard to the development of women's affairs, enable women to carry out their role in public life, and merge their efforts with development programmes without discrimination. It is also responsible of devising a national plan to improve the situation of women and solve the problems they face in various fields. Moreover, the council represents Bahraini women in Arab and international forums and organisations pertaining to women's affairs.

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<sup>38</sup> Bahrain Tribune, "*Labour Market Reforms*," Friday, March 25, 2005.

<sup>39</sup> Ibid.

A technical secretariat was established headed by the secretary-general of the council, which will assist the council in its work and convey its decisions, recommendations, and proposals to the competent authorities. The secretary-general shall be concerned with implementing the council's decisions and generally supervising the technical secretariat, personnel affairs and financial and administrative affairs.

The establishment of this Council has played a vital role on matters regarding developing women of the Kingdom in all fields, whether at the level of the family or of the nation. In 2002, the SCW played a crucial role on encouraging women to exercise their new political rights. There was an enthusiastic response from women voters, assisted by Sheikha Sabeeka, who visited villages and universities urging women to take advantage of their rights. One hundred and seventy seven (177) candidates competed in the first round, including eight women. Only two of these women candidates made it for the second round. But in the run-off elections on 31 October 2002, both women failed to get a seat. Afterwards the first lady with her influence managed to have two female ministers and two other women, including the president of the University of Bahrain, with ministerial rank.<sup>40</sup>

Sheikha Sabeeka has been chosen as the ninth most influential Arab Woman. Arab Forbes, the Arabic version of the Forbes, in its December 2004 issue, conducted the Survey of the 59 most influential women. She was praised for her role as a First Lady and the force behind women's action in Bahrain. Other criteria for choice included a strong Arab and International presence and close interaction with national issues.

During 2004, the SCW has led a campaign on the importance of issuing a Family Law. The campaign was perceived with mixed reactions from the society and created a heated debate in Bahrain. The council argue that the lack of a codified

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<sup>40</sup> The two female ministers were *Dr Nada Haffadh* (Health Minister) and *Dr Fatima Al Balooshi* (Social Development Minister). The two females with minister rank were *Dr Mariam Al Khalifa* (President of Bahrain University) and *Lawyer Lulwa Al Awadhi* (Secretary General of the Supreme Council for Women).

Family Law gives judges excessive discretion in their interpretation of the *Sharia* law and allow them to rule against women in cases of divorce, inheritance, and child custody. Some of the religious political societies led an opposition demonstration to the SCW's campaign showing their concern that the SCW was pushing for a Civil Law rather than an Islamic Law, and that only religious scholars should have a say in determining the law contents.

In March 9, 2005, the King requested all government and civil administrations and organisations to help implement the National Strategy for the advancement of Bahraini women, stressing that women should have better opportunities. *“The implementation of the national strategy, the first of its type in the country, will help us achieve our objective, which is to see women assume their roles fully as dependable partners to men and well capable of contributing to the building of the family, the society and the state and, eventually, to be involved in making decisions in modern Bahrain.”* The King said in his address to mark the International Women's Day.<sup>41</sup>

#### **4.5 THE OPPOSITION MOVEMENT**

Naturally, in any election there are a number of people who boycott the election for certain grounds. Bahrain is no different, and has experience this phenomenon. On the 3<sup>rd</sup> of September 2002, four political societies; *Al-Wefaq* (Islamic National Accord), The National Democratic Gathering, The National Democratic Action Society and The Islamic Action Society have boycotted the election for many reasons:<sup>42</sup>

##### **4.5.1 Declared reasons:**

- Parliamentary reform has not remained true to the original National Action Charter.

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<sup>41</sup> All Bahrain News Papers, King Hamad Speech marking the International Women's Day, 9 March 2005.

<sup>42</sup> The term '*Society*' or '*Association*' is used to describe the political entities that were set up after inauguration of the reform projects. They are similar to political parties, but they are not officially classed as '*Parties*' yet. Their legal status might be changed to parties in the future.

- Amendments to the constitution gave the Consultative Council appointed by the King the same legislative powers as those given to the elected chamber. In their view, this meant that the concentration of power remains in the hands of the un-elected authority.<sup>43</sup> Disagreement between the elected chamber and the appointed one are to be resolved by a vote of all members, with 40 members each and the head of the National Assembly is from the appointed chamber, this gives elected deputies less power than they enjoyed under the 1973 Constitution.<sup>44</sup>
- Amendments must be made to the 2002 Constitution or restoration of the 1973 Constitution.
- The powers of the King are too excessive, and they indicate that in constitutional monarchy the king rules but does not govern.
- Courts are still subject to government interference regarding verdicts, sentencing, and appeals.
- They reject the drawing of the Governorates (the Southern, Al Muharraq, the Central, the Capital, and the Northern Governorate) where this grouping does not guarantee justice and equal opportunities between citizens.<sup>45</sup>
- The continuous granting of citizenship to non Bahrainis-mainly Sunni Arabs from around the region to mitigate Shia dominance.
- Un-equal distribution of wealth.<sup>46</sup>

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<sup>43</sup> Omar Al Hassan, "*The Kingdom of Bahrain In 2002*," Gulf Centre for Strategic Studies, London, 2003, p. 9

<sup>44</sup> Michael Herb, "*Emirs and Parliaments in the Gulf*," Journal of Democracy, Volume 13, Number 4, October 2002, p. 46.

<sup>45</sup> International Crisis Group, "*Bahrain's Sectarian Challenge*," Middle East Report number 40, May 6, 2005, p. 6.

- En-equality between Bahraini citizens, especially the privileges granted to Al Khalifa members and their Arab tribal allies.<sup>47</sup>
- Prohibiting Shia from joining the Armed Forces.

#### 4.5.3 Unofficial reasons:<sup>48</sup>

- The ruling family to be removed from power, as the Shia consider themselves to be the real native of Bahrain and considers the Al Khalifa family as foreigners who moved to Bahrain from Qatar in the late eighteenth century.
- The ruling family should give up their dominance of the ministries of sovereignty (armed forces, interior, foreign affairs, and finance) and let the parliament decides that.
- The Prime Minister's post is to be given up to someone from outside the ruling family.

These societies continue to organise processions in order to exercise pressure and extract constitutional amendments to the current Constitution. Although the Ministry of Interior banned a request for demonstration by *Al-Wefaq* society on Friday 25 March 2005 in Sitra area, the society went on demonstration and caused lots of embarrassment to the government and the citizens. The decision not to allow the demonstration was linked to the security situation in the region at the time and the need to preserve national safety, and to prevent the demonstration and the counter-demonstrations from disrupting public security and order and would harm investments and business activities and hurt people's interests. Several other societies, businesspersons, and citizens have condemned the demonstration via all kind of media and warned that rallies will hurt the economy and the security of the

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<sup>46</sup> Concluded from the semi-interviews.

<sup>47</sup> Ibid.

<sup>48</sup> Such conclusions are based on discussions and participant observation by the author in government/security circles and through dialogue in key Majlis.

Kingdom. Six leading societies called to preserve democracy and the Kingdom's interest first on a full-page statement of all national newspapers and emphasised that such acts and practices must be in full compliance with the law, the rule of the regime and the protection of the homeland and citizens.<sup>49</sup> These condiments did not affect the situation because all of these six societies happened to be Sunnis!

Against all expectations, no legal action was taken against *Al Wefaq* for staging the Sitra rally despite a written warning from the Ministry of Interior. "*In light of the commitment of Al Wefaq to comply with the law and to coordinate with the executive authorities, the ministry will not take any other legal action against the society on the Sitra rally,*"<sup>50</sup> the newly appointed, Minister of Social Development, Dr Fatima Al Belooshi, said after a meeting with a delegation from *Al Wefaq*.<sup>51</sup>

Observers had predicted a 45-day closure of the society or a strong warning. "*The Ministry of Social Development chose not to take legal action against Al Wefaq to avoid the escalation of the issue,*" Dr Al Belooshi said. The Minister said that she supported societies, but stressed the need for them to comply with the laws and rules. "*We all want the best for our country, and we should work together to ensure its progress and success. The meeting with Al Wefaq is a confirmation of our patriotic objectives,*" she said.<sup>52</sup> Such action gave an excellent sign of the new reform, because if this episode happened before the reform lots of people would be hurt and jailed.

After the rejection of the draft of a law that would have allowed the formation of political parties by the National Assembly in June 2004, King Hamad ratified a controversial law for political associations in August 2005 despite vehement

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<sup>49</sup> The societies were *Al Asala* Islamic Society, National Constitutional Grouping Society, Islamic National Forum Society, *Al Shura* Islamic Society, *Al Mithaq* Society, and Free Thinking Society.

<sup>50</sup> Bahrain Tribune, "*Wefaq Faces Legal Action,*" Saturday, March 26, 2005.

<sup>51</sup> On December 2004, Dr Fatima Al Belooshi appointed for the new Ministry of Social Development, after separating the Ministry of Labour and foreign Affairs to create the new ministry. On November, 2005 the ministry renamed to "Ministry of Social Development".

<sup>52</sup> Bahrain Tribune, "*Wefaq Rally,*" Tuesday, March 29, 2005.

opposition from Bahrain's political societies.<sup>53</sup> The new law stipulates that associations can be formed as long as they are not based on class, profession, or religion and raises the minimum age of society members from eighteen to twenty-one. It also imposes restrictions on foreign funding and requires all existing political societies to re-register with the Ministry of Justice by November 2, 2005. After months of protesting the new law that passed by parliament in July, Bahrain main political societies (*Al Wefaq*) and the National Democratic Action Society have decided to register under the new law. *Al Wefaq* witnessed a split in its ranks, with some 100 members including the vice president and some board member to resign in protest of the decision to abide by the new law.

In contrary, to many observers interested in Bahraini affairs, the view of the opposition societies is unjustified. They argue that the amendment was introduced to reinforce democracy in its infant stages, protecting it from being hijacked by anti-democratic forces. It is widely believed that had the Bahraini monarchy not desired to enhance democratic governance and activate political leadership among the people, it would not have implemented such a series of substantive reforms in the first place.<sup>54</sup> On the other hand, the government argued that the open political participation is at its early stages, and as such, precaution needed to be taken to avoid any harm to the different ethnic or religious minorities, as well as women. However, the boycott was accepted as legitimate response and the experiment left to complete itself. The following Table 4.1 illustrate Bahrain's main political Societies.<sup>55</sup>

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<sup>53</sup> Gulf Daily News, August 20, 2005.

<sup>54</sup> Omar Al Hassan, "The Kingdom of Bahrain In 2002", Gulf Centre for Strategic Studies, London, 2003, p. 9.

<sup>55</sup> Glada Lahan, "Democratic Transition in Bahrain: A Model for the Arab World," Gulf Centre for Strategic Studies Ltd., London, 2004, p. 54.

*Table 4.1: Bahrain's main political Societies*

Societies	Orientation
<i>Al Wefaq</i> (Islamic National Accord)	Shia Islamist
<i>Jameiat Al Amal Al Islami</i> (Islamic Action Society)	Shia Islamist
<i>Jameiat Al Rabita Al Islamiya</i> (Islamic League Society)	Shia Islamist
<i>Al Menbar</i> (Democratic Progressive Association)	Leftist
<i>Al Wasat</i> (Arab Islamic Democratic Association)	Nasserist and Sunni Islamist
<i>Jameiat Al Menbar Al Watani Al Islami</i> (National Islamic Forum)	Muslim Brotherhood
<i>Al Shura</i> (Consultation Society)	Sunni Islamist
<i>Al Islah</i> (Reform Islamic Society)	Islamist
<i>Al Asala</i> (Reform Society)	Sunni Salafist
<i>Al Tajamu</i> (National Democratic Gathering)	Leftlists, Baathists, & Migrant workers
<i>Jameiat Al Amal Al Watani</i> (National Democratic Action Society)	Leftists and Nationalists
<i>Al Methaq</i> (National Action Charter Society)	Pro-government

#### 4.6 HUMAN RIGHTS ISSUES

Since there is no reform in any region without closely considering the human rights issues, the King has granted these issues excessive priority which fall at the top of his reform program. At the same time, the Human Rights groups have been routinely attacking the GCC countries as repressive states where the ruling family jealously guarded the reins of political and economic power. After 11 September 2001 attacks, the USA became very insistent too on the issues regarding human rights, especially those countries that the US have bilateral relationship and/or threatens their national security. Along with the US policies, the European Union, World Bank, International Monetary Fund (IMF), and other trans-national institutions have linked their loans, investments, donations of aid to the improvements in human rights issues. Bahrain has earned US praise, in February 2004 State department report on human rights, by instituting labour reform, including a 2002 law granting workers, including non-citizens, the right to form and join unions. There are now about 39 trade unions in Bahrain, and workers are

permitted to conduct work stoppages.<sup>56</sup> The UN's Human Development Report of 2003 ranks Bahrain 39<sup>th</sup> among 173 countries for "high human development," is a good source on quality-of-life trends in contemporary nations. However, observers should know that Bahrain is an Arab Muslim country and the Islamic legislations (*Sharia*) are a principal source for legislation as Article (2) of Bahrain Constitution point out.<sup>57</sup> Human rights were blessed by Islam fourteen centuries ago, and in his last sermon, Prophet Mohammed (Peace be upon him) said; "*people were equal like the teeth of a comb, and that an Arab has no superiority over a non Arab and white has no superiority over black except by piety and good action.*" Prophet Mohammed added; "*All citizens are equal before the law in rights and duties. There is no discrimination between them on the ground of sex, origin, language, religion, or creed.*" Therefore, these issues have been applied and considered within the new reform, not as a cause of internal or external forces but from Bahrain's indigenous cultural. From the concept of supporting human rights and democracy in Bahrain, the United States seeks to accelerate the political reform. Through the State Department's "Middle East Partnership Initiative" (MEPI), the US launched an Arab judicial reform program in September 2003, hosted by Bahrain. Supreme Court Justice Sandra Day O'Connor led the US delegation. Other MEPI funds have been used to assist the elected Council of Representatives, to advance women, and to fund projects with Bahrain labour organisations.<sup>58</sup>

For a practical evaluation of human rights issues, it is therefore, useful to list some of the Universal Declaration (UD) of Human Rights' Articles and find out how close Bahrain reform came to this concept.<sup>59</sup>

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<sup>56</sup> Kenneth Katzman, "*Bahrain: Key Issues for U.S. Policy*," CRS Report for Congress, March 24, 2005, p. 2.

<sup>57</sup> Article 2 [State Religion, Shari'a, Official Language] "*The religion of the State is Islam. The Islamic Shari'a is a principal source for legislation. The official language is Arabic.*"

<sup>58</sup> Kenneth Katzman, p. 3

<sup>59</sup> Articles that are not included mean that they are more or less not related to Bahrain.

<b>(UD) of Human Rights' Articles</b>	<b>The Reform</b>	<b>Applicability</b>
<u>Article 5</u> No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment.	The Security laws and the Security Court that allowed police to hold prisoners without charge for up to 3 years were abolished. See Bahrain Constitution Article 19 (d), Art. 20 (a, b, c, d, e, and f).	High
<u>Article 9</u> No one shall be subjected to arbitrary arrest, detention, or exile.	All political prisoners were freed and all exiles were officially allowed to return to the country. See Article 19 (a, b, c) of Bahrain Constitution.	High
<u>Article 21</u> (3) The will of the people shall be the basis of the authority of government; this will be expressed in periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.	The "National Action Charter" was presented to the Bahraini public in a referendum in February 2001. It was the first public vote in Bahrain since 1972, and for the first time, women had the right to both vote and to stand as candidates. On 9 May 2002, Municipal Elections, the first since 1957, took place, followed by the Parliamentary elections on 24 October 2002.  Moreover, arising out of the king's keen compliance, he directed the government to put considerable resources to encourage as many people as possible to vote. The elections themselves were noted for the use of state of the art technology, and for their transparency. The elections were successful in terms of the government's neutrality, smooth in organisation and for the participation of women. Bahrain constitution Articles 56 and 60.	Medium

<p><u>Article 22</u> Everyone, as a member of society, has the right to social security and is entitled to realisation, through national effort and international co-operation and in accordance with the organisation and resources of each State, of the economic, social, and cultural rights indispensable for his dignity and the free development of his personality.</p>	<p>See Bahrain Constitution Articles 1 (e), Art 4, Art. 5 (c), Art. 7 (a and b), Art. 9 (f), Art. 10 (a), Art. 13 (a, b, and d), Art. (a and b).</p>	<p>Medium</p>
<p><u>Article 23</u></p> <p>(1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.</p> <p>(2) Everyone, without any discrimination, has the right to equal pay for equal work.</p> <p>(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.</p> <p>(4) Everyone has the right to form and to join trade unions for the protection of his interests.</p>	<p>See Bahrain Constitution Articles 13 (a, b, c, and d), Art. 16 (a and b), Art. 27.</p>	<p>Medium</p>
<p><u>Article 25</u></p> <p>(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, and housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other</p>	<p>See Bahrain Constitution Article 5 (a, b and c), Art. 7 (a and d), Art. 8 (a), Art. 9 (f).</p>	<p>High</p>

<p>lack of livelihood in circumstances beyond his control.</p> <p>(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.</p>		
<p><u>Article 26</u></p> <p>(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.</p> <p>(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.</p> <p>(3) Parents have a prior right to choose the kind of education that shall be given to their children.</p>	<p>See Bahrain Constitution Article 7 (a, b, c, and d).</p>	<p>High</p>
<p><u>Article 27</u></p> <p>(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.</p>	<p>See Bahrain Constitution Article 7 (a, b, and c). Art. 23 and Art. 24.</p>	<p>High</p>

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary, or artistic production of which he is the author.		
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Comparing what the King has implemented with the above UD's Articles, one can hardly find gaps between the new reforms and the all-international human rights regulations. The amended constitution speaks of transparency, accountability, justice, equality between the sexes and among ethnic/religious groups, equal opportunity for all, respect for human rights, the establishment of an independent judiciary, and the introduction of a new two-chamber parliamentary system.

In fact, Bahrain's strategy intends to fulfil all human rights issues to build up a reform based on the common standards set by the Universal Declaration and various other treaties. However, instead of defining human rights by reference to internationally acknowledged standards, the NAC and the constitution define them by reference to national law, which poses a risk of a diminution of international human rights standards. There were many statements from the government of Britain, which clarified that it does not want to impose any particular type of democracy on any nation, only serves to reinforce the fact that democracy is not rigid concept that can be applied in the same way, in any place or at any time. Rather, it is an arrangement of systems that can be applied in different ways to suit particular circumstances and particular places.<sup>60</sup> The Bahraini Crown Prince Sheikh Salman repeatedly said that the Kingdom generally supported reform but cautioned that 'one-size-fits-all' is not going to work across the whole region.<sup>61</sup> He added:

*But we certainly support the general principles advocated by the reform process ... And you can ... summaries them in three basic principles. One is democracy. Two is rule of law. And three is adherence to a free market or capitalist system. I think those three pillar need to be*

<sup>60</sup> Prof. Nabil Adawy, Dr Barrie Wharion, and Dr Omar Al-Hassan, "Bahrain: Challenges and Future Prospects," GCSS, London, p. 32.

<sup>61</sup> Bahrain Tribune, "Support vital to move on, says CP," February 10<sup>th</sup>, 2004, Bahrain.

*encourage, and each country needs to define how it wants to move and when it wants to move on these issues.*<sup>62</sup>

On other occasion, President Bush said:

*As we watch and encourage reforms in the region, we are mindful that modernisation is not the same as Westernisation. Representative governments in the Middle East will reflect their own cultures. They will not, and should not, look like us. Democratic nations may be constitutional monarchies, federal republics, or parliamentary systems.*<sup>63</sup>

Certainly, the defence and protection of human rights is a noble goal, which every country must strive to realise. Fortunately, with the new King, the first and foremost task is to protect the rights of the citizens to live in freedom, security, and harmony with each other. However, consideration should be taken that human rights cannot be defined absolutely, and they vary from one society to another. The death penalty, for example, is considered as a violation from Human Rights Organisations, where Islam takes a different view in this respect. Meanwhile, Bahrain has two independent human rights non-governmental organisations: The Bahrain Human Rights Society (which has recently received authorisation to monitor prison conditions) and the Bahrain Human Rights Watch Society.

In year 2000, the U.S issued a new law to combat modern-day slavery around the world (Trafficking Victims Protection Act of 2000). This Act targeted at combating the many forms of labour exploitation, such as sexual exploitation and coerced labour, which suffered by approximately 800,000 people, mostly women and children. U.S embassies around the world collect information regarding a country's efforts in combating Trafficking in Persons, and then divide countries into tiers as

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<sup>62</sup> Ibid.

<sup>63</sup> President Bush's speech at the 20<sup>th</sup> anniversary of the National Endowment for Democracy in 6 November 2003.

per their accordance with the Trafficking in Person’s Act of 2000 as illustrated in the following Table 4.2.

*Table 4.2: Tiers of Trafficking in Persons*

<b>Tier 1</b>	Countries that fully comply with the <i>Trafficking in Persons Act’s minimum standards for the elimination of trafficking</i>
<b>Tier 2</b>	Countries that do not fully comply with the minimum standards but are making significant efforts to bring themselves into compliance.
<b>Tier 2 Watch List</b>	Countries on <b>Tier 2</b> requiring special scrutiny because of a high or significantly increasing number of victims; failure to provide evidence of increasing efforts to combat trafficking in persons; or an assessment as <b>Tier 2</b> based on commitments to take action over the next year.
<b>Tier 3</b>	Countries that neither satisfy the minimum standards nor demonstrate a significant effort to come into compliance. Countries in this tier are subject to potential non-humanitarian and non-trade sanctions.

The US State Department’s Annual Report on Trafficking in Persons of 2004 pointed out that:

*The Government of Bahrain does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Bahrain is placed on Tier 2 Watch List because of the lack of evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year. Although Bahrain has developed a national plan of action and created an inter-ministerial taskforce on trafficking, these efforts were not accompanied by concrete actions to address the substantial trafficking problem it faces. During the reporting period, the government did not prosecute any person on trafficking charge, despite continued reports of foreign workers in conditions of involuntary servitude. A promised government-run shelter for trafficking victims has not opened and some prominent Bahrainis reportedly continue to illegally sell “free visas” to workers, thereby indirectly facilitating the trafficking of victims. Bahrain should*

*develop and implement appropriate anti-trafficking measures to address these concerns.*

See Table 4.3 that shows the Bahrain's status in the world trafficking reports.

*Table 4.3: Bahrain's Status in the Trafficking reports throughout the years*

<b>Years</b>	<b>Bahrain's Status</b>
<b>2001</b>	<b>Tier 3</b>
<b>2002</b>	<b>Tier 3</b>
<b>2003</b>	<b>Tier 3</b>
<b>2004</b>	<b>Tier 2 Watch List</b>

Despite Bahrain's efforts in combating Trafficking in Persons, it has yet to adhere to further essential steps to comply with the U.S annual reports, and they are as follows:

- Lack of investigation and prosecution in Trafficking cases, and lengthy cases languish in courts.
- Lack of a database, statistics, and verdicts on cases regarding Trafficking in Persons.
- Bahrain has not yet established a promised shelter or (safe houses) for extreme abuse victims. The location has identified for the shelter, yet due to the delays in defining by-laws, it has not yet launched.
- Bahrain has not yet registered with the International organisation for Migration, which fundamentally assists in setting out a plan to combat trafficking and implementing procedures.
- Bahrain is still drafting a new law, which criminalises Trafficking in Persons.

The Kingdom of Bahrain recognises that Trafficking in Persons is a problem that affects the entire world, but believes that planned measures will comprehensively address the issue, investigate and prosecute offenders, and provide the necessary assistance to victims. Her Highness the First Lady Sheikh Sabika bint Ibrahim Al Khalifa, is giving her personal effort in these issues and fully supports all governmental and non-governmental organisation to reduce such growing phenomenon. Accordingly, Bahrain is making significant efforts to eliminate the trafficking in persons and made several administrative and legal measures.<sup>64</sup>

#### 4.6.1 The Administrative Measures

- Recognition of the increasing problem of labour exploitation.
- Establishment of a governmental Task Force to combat Trafficking in Persons, which includes the Ministry of Foreign Affairs, Ministry of Labour, Ministry of Social Development, Ministry of Justice, Ministry of Interior, Foreign Media Affairs department at the Ministry of Information, the Capital Governorate and the Legal Affairs department at the Ministry of Cabinet Affairs.
- The Task Force has set a national strategy to combat Trafficking in Persons, and meets regularly to implement the strategy.
- A Manual and Guide, outlining the rights and obligations of foreign workers in Bahrain has published in many languages and distributed among foreign embassies and entry points to Bahrain.
- A telephone Hotline set up at the Ministry of Labour, to receive complaints related to Trafficking in Persons, and give advice and instructions to help the callers.
- A large number of labour inspectors have appointed at the Ministry of Labour to investigate offences.

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<sup>64</sup> A report given by Bahrain Task Force for Trafficking in Persons, 2005.

- Cooperation with local NGO's, especially the Migrant Workers' Protection Society, and the Ministry of Foreign Affairs has participated largely in their annual Fund-Raising events.

#### 4.6.2 The Legal Measures

- Bahrain has acceded in 2004 to the UN Convention against Trans-national Organised Crime, and the Protocol against Trafficking in Persons.
- Bahrain has signed a number relevant International Labour Organisation Conventions on the issue, including, for example, Convention C105 (prevention of compulsory labour) and C29 (forced labour).
- Bahrain is also a party to other relevant agreements, including the Agreement to Combat Trans-Arab Organised Crime, the Arab Agreement to Combat Terrorism, and bilateral extradition agreements.
- Bahrain has participated in many trafficking-related conferences and workshops internationally.

Bahrain has signed and /or ratified many human rights conventions and continues to do so, see Table 4.4. In contrary, there are still some agreements and accords under review, because we should not forgot the fact that Bahrain is member of the GCC and the Arab League, and could not just act unilaterally on such International accords. For example, Bahrain is still reviewing the signing of the International Criminal Court (ICC) because it is working closely with other nations in the Arab League to iron out the differences and concerns related to the ICC.

*Table 4.4: Some of the Human Rights Conventions*

No	Conventions
1	International Convention on the Elimination of All Forms of Racial Discrimination (CERD)
2	International Convention on the Suppression and Punishment on the Crime Apartheid
3	Convention on the Prevention and Punishment of the Crime of Genocide
4	Protocol amending the Slavery Convention of 1926
5	Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956
6	Convention on the Rights of the Child (CRC)
7	International Centre for Settlement of Investment Disputes
8	Convention Against all forms of Torture and other Cruel, Inhuman or Degrading Treatment of Punishment (CAT)
9	Rome Statute of the International Criminal Court (ICC)
10	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
11	Convention on Creating Arabic Women Organisation
12	International Labour Organisation's Convention against the Discrimination of Women in Recruitment and Careers
13	International Convention on the Prevention and Punishment of the Crime of Genocide
14	International Labour Convention on the Training and Employment of the Handicapped
15	International Labour Convention on Discrimination in Recruitment and Professions
16	International Labour Convention on Weekly Rest (Industry)
17	International Labour Convention against Forced Labour
18	International Labour Convention on Labour Inspection
19	International Labour Convention Night Shift Women Labour
20	International Labour Convention Abolition of Forced Labour
21	International Labour Convention on Vocational Rehabilitation and Employment (Disable Persons)
22	International Convention for the Suppression of the Financing of Terrorism
23	International Convention for Suppression of Terrorist Bombings
24	Stockholm Convention on Persistent Organic Pollutants
25	International Convention on Economic, Social and Cultural Rights
26	International Convention on Civil and Political Rights

*Sources: Bahrain Ministry of Foreign Affairs and the Office of the UN High Commissioner for Human Rights.*

Moreover, the following Table 4.5 shows a comparison between the life in Bahrain before the new reform by King Hamad and the life after the reform, excluding the period from 1973 to 1975:

*Table 4.5: Situations Before and After the Reform*

Situations	Before	After
Constitutional Monarchy	No	Yes
Bicameral Legislation	No	Yes
Constitutional Court	No	Yes
Higher Judicial Court	No	Yes
Economic Development Board	No	Yes
National Audit Court	No	Yes
Grievance Court	No	Yes
Women rights	Yes	More
Human rights	Little	More
Parliament Elections	No	Yes
Municipal Elections	No	Yes
Women as candidates	No	Yes
Women Votes	No	Yes
Independent Judiciary	No	Yes
Political Associations	No	Yes
Demonstrations	No	Yes
Free Media	No	Yes
Free Speech	No	Yes
Security Laws	Yes	No
Exiles	Yes	No
Bidoon (non-national residents)	Yes	No

#### 4.7 CONCLUSION

The Kingdom's initiatives taken since 1999 have laid the foundation for an exceptional start towards the new reforms on all aspects of political, social, economic, and human rights issues. King Hamad's implementation of his reformist vision is interesting as it shows a clear understanding of the domestic problems facing Bahrain's society and also the potential threat this could pose to the Al Khalifa dynasty. The initial reform initiatives discussed above underscores the pragmatism of the young King: it was an undertaking geared towards fostering national consensus behind his liberalisation programme.

All these revolutionary changes from above took place prior to the 9/11 terrorist attacks and thus emphasise that they were born domestically rather than reactively from external pressure on this issue which epitomised the era of the War on Terror.<sup>65</sup> Indeed, President Bush and many other developed countries, including human rights organisations and journalists, gave a positive opinion over Bahrain's transition and consider it to be a role model for developing countries.<sup>66</sup> President Bush's invitation for the King to attend the Group of Eight (G8) summit of the world's major industrial nations, which was held on 8 June 2004 in Georgia, USA, to highlight his reformist vision, was an excellent indication of how the international community perceives Bahrain's evolution into modernity. So whilst the majority of the Arab world only began to implement measured reform as a result of mounting international pressure on this issue, Bahrain's journey was a home grown affair. Moreover, within the context of the GCC states, Bahrain's reform underlines the more preferable route of change from above rather than a Marxian revolution from below.

The Kingdom has been shown to have experienced a sustained process of political, legal, economical, and social reform. King Hamad's steps are a welcome series of

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<sup>65</sup> War on Terror refers to the grand strategic era in US foreign policy which occurred following the 11 September 2001 terrorist attacks. This strategy placed the promotion of freedom and democracy as a national security necessity and thus shaped the character of US foreign relations in this era.

<sup>66</sup> President Bush in his speech at the 20<sup>th</sup> anniversary of the National Endowment for Democracy in 6 November 2003 addressed Bahrain reform as a positive step forward.

moves that are long overdue. They hold the real promise of reconciliation, of breaking a very long cycle of mistrust between the government and the people, and also between various sectors of the population whose mistrust has turned to, at times, violent opposition. At the same time, the moves made so far are merely preliminary and may be essentially characterised as promises for future substantive changes. They may well be necessary first steps, but they tackle only one part of a major set of problems and challenges facing Bahrain today and in the future.

King Hamad has brought many changes to Bahrain since coming to power after his father's death on 6 March 1999. Since he took over the throne, drastic unexpected changes took place in the Kingdom. Royal pardon was granted to political detainees and exiles, women were given the right to vote and run for parliament, free speech and free media also became the norm. He believes that the world has changed and Bahrain must change too. What worked yesterday may not work today. If it does, it probably won't work much longer. People want more than just a pay check for their work today. They need to be appreciated, understood, acknowledged, and valued. The challenge is to create places that bring out the best in people while fulfilling their fundamental needs.

With Bahrain having geographic, demographic, historical and economic advantages over its neighbours, it still, nonetheless, has many problems that need to be addressed. Through fostering social development and a sense of national solidarity, Bahrain can achieve its goal of fulfilling the aspirations of society as a whole. On reflection, the above discussion on Bahrain's reform presents several basic questions: can Bahrain's move towards a radical new order overcome all pessimistic beliefs that Islam and democracy maybe incompatible? How well can it address the concern that an oil based rentier economy is unable to coexist with democracy? Can we presume that Bahrain's new transition holds little difference from the experience of many Arab countries that attempted to reform but were ultimately held back? What more has to be done and what challenges might this pose?

Overall, this chapter has built on the preceding one in order to provide the reader with a comprehensive appreciation of the reforms undertaken by the King since 1999. This chapter has established the character of reforms implemented in the key spheres of society, the economy and towards human rights in general. Given this, the following chapter will evaluate the reforms, highlighted in these last two chapters, through an analytical methodology, by showing the challenges that also need to be tackled in order for a sustainable modernisation programme to be achieved.

## **Chapter V**

### **Challenges to the Reform Programme: Liberalisation or Democratisation?**

## 5.0 INTRODUCTION

King Hamad repeatedly said on different occasions, “*There can be no return to the past, and the clock will not be put back.*”<sup>1</sup> The reform started in 2000 with national gathering and collaboration between all sects. It was the first time to see such unified agreement and admiration by the people towards the ruler. Citizens began to practice a great deal of freedoms and rights than existed under the old regime. So far, it will be argued that the reform has, to some extent, satisfied the political appetite of the people, but has not fully addressed the economic and social ones.

However, after 2002 citizens started to be pessimistic about further progress actually being undertaken. The mixed up priorities combined with the slowness in the implementation process have made some of the Bahraini people lose confidence in the reform. The overlap of political, economic, social, and sectarian tensions, which could conceivably arise from this experiment, could cause a negative upheaval to the Kingdom that is often touted as a model of Arab reform.

The political power by Al Khalifa and their Najdi allies, together with the economic deprivation of the Shia and Sunni, produced continuous pattern of civil dissidence through the 20<sup>th</sup> century. The first half of the century witnessed a lack of cooperation between Sunni and Shia dissidents. However, an agreement was forged during the 1953-1956 uprising, which held through the periods of 1965 and the mid of 1970s.<sup>2</sup> Therefore, Bahrain’s problems go beyond sectarian discrimination to include protracted conflict between government and opposition, mounting unemployment, high rates of poverty, and a rising cost of living: establishing a stable political system requires altering relations between government and citizens as a whole.<sup>3</sup> The government has been unable to address the needs of the lower and middle classes by reducing unemployment, transparency and human rights, improving its provision of social services, counter the critics about corruption and

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<sup>1</sup> Ministry of Information, “*The Speeches of His Majesty King Hamad bin Isa Al Khalifa, King of Bahrain*,” Ministry of Information publication, Bahrain, 2002.

<sup>2</sup> J. E. Peterson, “*Bahrain’s First Steps Towards Reform*,” Asian Affairs, London, Vol. 33, Part 2, June 2002, pp. 216-227.

<sup>3</sup> International Crisis Group, “*Bahrain’s Sectarian Challenge*,” ME Report No. 40, May 6, 2005, p. i.

incompetence, and developing the private sector. These issues, exacerbated by the inequitable distribution of opportunity, were central to Shia discontent and contributed to the riots of 1994-98.<sup>4</sup>

A major dilemma facing the reform programme is that although the King instructed for immediate action to be taken on the social, political, and economic fronts, as will be outlined in his speeches later in this chapter, progress has not been forthcoming. In essence, the King's reformist vision will be shown to have been hampered by the very government tasked with implementing it. Given bureaucratic inefficiency, a reluctance to take on board new ideas and also adopt change, it has become apparent that the realisation of the reform vision will be a longer term process than the King had envisaged. Given this, the government has not been able to deliver the changes mandated by the King in several key areas. The slow progress has brought the government at odds with parliamentary demands for progress in securing equality between citizens, challenging issues such as the high rate of poverty, rising cost of living, and the growing social claims coming mainly from the unemployed youth. The reality of many Bahrainis is that the government is still disconnected from its people. Since 2003, several of demonstrations by opposition parties and individuals have begun to take place.<sup>5</sup> The political liberalisation experiment has therefore become more fragile. The equation of accomplishment needs both parties, the government and the opposition to work together and compromise here and there to reach a mutual understanding to let the country start from a solid ground and make the reform something all people may taste.

On the other hand, the reform has started to make some headway to repair what was once a dysfunctional autocracy riddled with sectarian bias and one, which failed to come up with the right political, economic, and social system. The opposition,

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<sup>4</sup> Nadeya Sayed Ali Mohammed, "Political Reform in Bahrain: The Price of Stability", Middle East Intelligence Bulletin, Vol. 4 No. 9, September 2002, p. 221.

<sup>5</sup> "The number of rallies organised in Bahrain from July 2004 to May 2005 was more than 180, and this is a high number.", An interview given by the Director of Legal Affairs at the Ministry of Interior, Bahrain Tribune, Friday, June 10, 2005. Bahrain used to be called "*The country with a million trees.*" Now, it is called "*The country with a million rallies.*"

which has increased since 2003, believe that the reform did not serve any party in the country except for the royal family themselves. The people need a government system to be more transparent, citizens to have a voice in how they are governed, and all sects to have a public platform from which they can set out their views. For there to be affective reform, this thesis will argue that there must be substantial freedom of the press, speech, a more powerful assembly, and so forth. This creates an arena for public debate in which oppositions ideas can be challenged too so a true and just national reconciliation process can take place.

King Hamad's recent steps are a welcome series of moves to address the unsettled grievances that has existed in Bahrain for a very long time. He raised the hopes of the people and promised to vastly improve the political, social, and economical situations in the Kingdom. In his talks on National Awareness, he indicated;<sup>6</sup> "*I dreamt of a homeland that embraces all its citizens.*"<sup>7</sup> Then added;

*The fact is that I relied above all on Almighty God, and then on my confidence in the awareness, civilised attitude, and political maturity of the people of Bahrain. I personally made a decision that entailed an historic responsibility by holding a free referendum in order to release the country from a bottleneck. It was an unprecedented referendum in our political history and hesitation and apprehension toward it persisted to the last moments of holding it.*<sup>8</sup>

At the same time, the reform made so far was preliminary and may be characterised as essentially promises for future substantive changes. They may well be necessary first steps, but they tackle only one part of a major set of problems facing the country today.<sup>9</sup>

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<sup>6</sup> King Hamad Al Khalifa, "*Talks on National Awareness: First Talk*," All Bahrain's Official Newspapers, Wednesday 9 February 2005.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> J. E. Peterson, "*Bahrain's First Steps Towards Reform*."

Given all the facts about King's Hamad reforms from 1999 to 2005, the purpose of this chapter will be to provide detailed challenges to the reforms that have been undertaken in this timeframe. These challenges, if not considered, and also action taken to address them, there is a risk that the reforms will be very highly jeopardised. The future of the reform lies in the hand of King Hamad given it is an elite driven process. Having looked to his personality and intentions, he is capable of implementing solutions for all these challenges. The majority of Bahraini citizens have lost interest in the reforms and now it is up to the King to prove to all of the opposition, and those who started to have doubt in their mind, that the reform is designed to enhance the future of Bahrain and end discrimination, rather than a superficial exercise to calm international criticism.

The structure of this chapter will firstly revisit the key factors that the reforms so far have dealt with. It will then move onto the main substantive element of the thesis, which will see an analysis of the shortcomings of the amended constitution of 2002. Secondly, it will analyse the issues that need to be reconsidered or modified and include the King's speeches and the action taken from the government, conflicts within the ruling family and frictions between the ruling family and the majority of its population as a manner of justifying the conclusions made. It will also look to challenges such as education, the opposition, the structure of the present parliament, economic factors, and administrative ones.

## **5.1 COMPARISONS BETWEEN THE OLD REGIME AND KING HAMAD'S REFORMS**

King Hamad has brought several changes during his reign different from those practiced during his father regime. Table 5.1 shows comparisons between Sheikh Isa regime and King Hamad reforms.

*Table 5.1: Comparisons between the old Regime and King Hamad's Reforms*

Old Regime	New Regime
<ul style="list-style-type: none"> <li>▪ Emarah / Hereditary Monarchy.</li> <li>▪ Amir.</li> <li>▪ The Commander in Chief of the armed forces.</li> <li>▪ Can rule by decree and dissolve the Consultative Council.</li> <li>▪ The Amir is the head of the three branches (Legislative, Executive, and Judiciary).</li> <li>▪ Appoint and dismisses the PM and the Council of Ministers, Judges. The Amir and the PM appoint all governments' Undersecretary, Assistance Undersecretary, and Managerial level.</li> <li>▪ Appoint all Consultative Council.</li> <li>▪ The Judiciary branch is not independent.</li> <li>▪ The ruling family holds monopoly on the cabinet portfolios of defence, interior, and foreign affairs (the "ministries of sovereignty" as they called), along with numerous other posts- all of which afford the dynasties tremendous political security.</li> <li>▪ The Media is censored.</li> <li>▪ Women rights are limited.</li> <li>▪ Security Law with Security Court.</li> <li>▪ Exiles.</li> <li>▪ Excessive Political Prisoners.</li> <li>▪ Aggressive riot and demonstrations.</li> <li>▪ Rare government cabinet changes.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Constitutional Monarchy.</li> <li>▪ King.</li> <li>▪ The Commander in Chief of the armed forces.</li> <li>▪ Chairman of the Higher Judicial Council.</li> <li>▪ Can rule by decree and dissolve the Parliament.</li> <li>▪ The King Heads all three branches (Legislative, Executive, and Judiciary).</li> <li>▪ The right to veto laws passed by the National Assembly.</li> <li>▪ The powers to amend the constitution and propose, ratify, and promulgate laws.</li> <li>▪ National Action Charter.</li> <li>▪ Amended Constitution.</li> <li>▪ Appoint and dismisses the PM and the cabinet, Judges. The president and members of the Consultative Council.</li> <li>▪ The King and the PM appoint and fire all government Undersecretary, Assistance undersecretary, Managerial level, and Governors.</li> <li>▪ Bicameral system with a directly elected legislative house and a consultative appointed house.</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Municipal elections.</li> <li>▪ Independent Judiciary branch.</li> <li>▪ Controlling the ministries of sovereignty.</li> <li>▪ Free media and free speech.</li> <li>▪ Full women rights.</li> <li>▪ No Security Law or Security Court.</li> <li>▪ No exiles.</li> <li>▪ No political prisoners.</li> <li>▪ Allowed political societies.</li> <li>▪ Allowed public gathering or demonstration.</li> <li>▪ Granted citizenship to stateless <i>Bidoons</i>.</li> <li>▪ Honoured Human Rights issues.</li> <li>▪ Regular government cabinet changes.</li> <li>▪ Higher Judicial Council</li> <li>▪ Constitutional Court.</li> <li>▪ National Audit Court</li> <li>▪ Administrative Monitoring Bureau.</li> <li>▪ Grievances Court.</li> <li>▪ Economic Development Board</li> <li>▪ Excessive royal gestures.</li> </ul>
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What can be recognized from the above table is that the new regime has implemented a variety of changes that encompass both structural and administrative changes. The importance of these change are that they underscore that the new reforms implemented, following the generational change to King Hamad as ruler of Bahrain, are a clear break from the old order. However, despite the pioneering

nature of the changes, there are clearly identifiable challenges facing the full realisation of this new political journey. Therefore, the following section will aim to highlight the shortcomings of the reforms

## 5.2 CHALLENGES TO THE REFORM PROCESS

The King pledged that safeguards should be drawn and precautions taken so that the country does not return to the bitter experiences and impasses that have impeded overall development in the past. However, the King is faced with several significant challenges such as a hereditary monarchy, cultural trends, political opposition, religious tensions, oppressed citizens, unplanned education and training strategies, unemployment and an unsatisfied citizenship. This situation raises many questions: Could the King be able to keep all his promises? Can the existing government manage and cope with the new reform? Moreover, are Bahraini citizens competent to deal with the new era? Is the reform programme achievable? Such trends could affect the marching of the King's political liberalisation programme and have important implications for the current and future situation if handled incorrectly.

### 5.2.1 The Constitution

Usually, the most vital strategic objective of any nation is to apply what the constitution has illustrated and promised to give to citizens. There are a number of rights and obligations specified in Bahrain's amended constitution; if applied the situation would conceivably be better as people could practice more freedoms. The relevant section reads:

#### (1) Preamble<sup>10</sup>

*“ . . . The citizen will enjoy greater welfare, progress, development, stability, and prosperity through earnest and constructive cooperation between government and citizens which will remove the obstacles to progress.”*

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<sup>10</sup> Bahrain Government, “*Constitution of the Kingdom of Bahrain*,” 14 February 2002, Bahrain.

In the timeline of this study, the situation in Bahrain did not improve as was expected. The government was still detached from its people. In the immediate aftermath of the reforms, a lack of confidence between the government and the elected chamber was clear; this has unfortunately been at the cost of people's welfare. Citizens were still not experiencing any welfare, development, stability, and prosperity except for the King's royal gestures that he gives his people on special occasions. There were dozens of draft bills awaiting the immediate attention of the chambers but inefficiency was stifling progress.<sup>11</sup> The bills mostly related to reforms and regulations affecting the people in general which in turn would strengthen the weakened social framework in the country. Some of them are as important as any relating to international and regional relations.<sup>12</sup> Cronyism continued from the old regime, as there were no substantive changes to benefit those citizens in need. Several times the PM came out with relatively encouraging statements such as:

*The government will continue to develop and strengthen the political institution. In order to achieve more participation in decision making and building the future for coming generations . . . development in any field will not be exclusive to the existing ones, but it will include creating and building new institutions.*<sup>13</sup>

In real terms, the government was not fully cooperating with the legislative branch. This policy created more frustration, demonstrations, and led to the migration of some citizens seeking better life. The government has not been able to put an end or even plan to do so for the most vital issues of the majority of Bahraini society. Unemployment, improving its provision of social services, high rates of poverty, a rising cost of living, and favouritism is still annoying lower and middle classes of Bahraini citizens. It is generally accepted that the people in Bahrain wanted to see real improvements in their standard of living from economic reforms. The real test

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<sup>11</sup> *Akbar Al Khaleej* Newspaper, 29 September 2005.

<sup>12</sup> Several members of the elected council indicated these issues through my interviews with them.

<sup>13</sup> *Al-Quds al-Arabi*, London, 5 August 1999.

of any policy change is whether it can provide more good jobs, give families a livelihood, and allow them to live in peace with the fruits of their labour.<sup>14</sup>

(2) The State<sup>15</sup>

*Article 1 [Sovereignty, Constitutional Monarchy]*

*d. The system of government in the Kingdom of Bahrain is **democratic**, sovereignty being in the hands of the people, the source of all powers. Sovereignty shall be exercised in the manner stated in this Constitution.*

*e. Citizens, both men and women, are entitled to participate in public affairs and may enjoy political rights, including the right to vote and to stand for elections, in accordance with this Constitution and the conditions and principles laid down by law. No citizen can be deprived of the right to vote or to nominate oneself for elections except by law.*

Amongst the changes, King Hamad brought since coming to power in 1999 was an amnesty that granted to political detainees and exiles. Bahrain's state security law was repealed, municipal and legislative elections were held; the first since his father dismissed the legislature in 1975. Women were given the right to vote and run as candidates. A national assembly should include the representation of the entire population in a country. In view of that, Armed Forces individuals and any citizen 18 and above has been included so that the assembly can be called National Assembly.

The challenge that the reform will face is whether Bahrain is undertaking a democratisation or a liberalisation process. The word 'democracy' came into English in the sixteenth century from French *democratie*, its origins are Greek.<sup>16</sup> 'Democracy' is derived from *demokratia*, the root meanings of which are *demos* (people) and *kratos* (rule).<sup>17</sup> Democracy means a form of government in which, in

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<sup>14</sup> Scott Waalkes, "Reflections on Bahrain," Malone College, January 16, 2005, [www.malone.edu](http://www.malone.edu).

<sup>15</sup> Chapter I, the Constitution of the Kingdom of Bahrain, 14 February 2002, Bahrain.

<sup>16</sup> David Held, "Models of Democracy," Second Edition, Blackwell Publishers Ltd., Oxford, UK, p. 1.

<sup>17</sup> Ibid.

contrast to monarchies and aristocracies, the people rule. Democracy entails a political community in which there is some form of *political equality* among the people and rule by the people.<sup>18</sup> ‘Rule by the people’ includes:<sup>19</sup>

- All should govern, in the sense that all should be involved in legislating, in deciding on general policy, in applying laws, and in governmental administration.
- All should be personally involved in crucial decision-making, that is to say, in deciding general laws and matters of general policy.
- Rulers should be accountable to the ruled; they should, in other words, be obliged to justify their actions to the ruled and be removable by the ruled.
- Rulers should be accountable to the representatives of the ruled.
- Rulers should be chosen by the ruled.
- Rulers should be chosen by the representatives of the ruled.
- Rulers should act in the interests of the ruled.

Some commentators, such as Daniel Brumberg, have concluded that most of the regimes in the Arab world, including the Gulf States, are for the coming 15 to 20 years only capable of becoming liberalised autocracies and in no way can full democratisation be realised.<sup>20</sup> The amended constitution specifically indicated that:

*[I]t is not permissible to propose an amendment to (Article 2)<sup>21</sup> of this Constitution, and it is not permissible under any circumstances to propose the amendment of the constitutional monarchy and the principle of inherited rule in Bahrain, as well as the bi-cameral system and the principles of freedom and equality established in this Constitution.<sup>22</sup>*

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<sup>18</sup> Ibid.

<sup>19</sup> J. Lively, “Democracy,” Blackwell Publishers Ltd., Oxford, UK, p. 30. See also Thomas Carothers, “Critical Mission: Essays on Democracy Promotion,” Carnegie Endowment for International Peace, Washington, D.C..

<sup>20</sup> See “Brumberg on Bush’s Democracy Speech,” Published at <http://cfr.org/>.

<sup>21</sup> Article 2 [State Religion, Shari’a, Official Language] *The religion of the State is Islam. The Islamic Shari’a is a principal source for legislation. The official language is Arabic.*

<sup>22</sup> Article 120 [Constitutional Amendments], Chapter VI General and Final Provisions, point (c), The Constitution of the Kingdom of Bahrain, 14 February 2002.

This clearly confirms that Bahrain is far from a democratisation path. Additionally, the reform did give some political and social rights, but the challenge that remains; could voting improve the living standard of the people of Bahrain? Is the government considering people as a source of all powers? Is liberalisation able to address the socio-economic issues that are Bahrain's greatest challenge?

(3) Basic constituents of society, public rights and duties, and public authorities<sup>23</sup>

*Article 4 [State Principles]*

***Justice is the basis of government. Cooperation and mutual respect provide a firm bond between citizens. Freedom, equality, security, trust, knowledge, social solidarity, and equality of opportunity for citizens are pillars of society guaranteed by the State.***

*Article 10 [Economy]*

***a. The national economy is based on social justice, and it is strengthened by fair cooperation between public and private business. Its objective, within the limits of the law, is economic development according to a well-ordered plan and achievement of prosperity for the citizens, all within the bounds of the law.***

*Article 13 [Work]*

***a. Work is the duty of every citizen, is required by personal dignity and is dictated by the public good. Every citizen has the right to work and to choose the type of work within the bounds of public order and decency.***

***b. The State guarantees the provision of job opportunities for its citizens and the fairness of work conditions.***

*Article 15 [Taxes]*

***a. Taxes and public costs are based on social justice, and their payment is a duty under the law.***

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<sup>23</sup> Chapter II, the Constitution of the Kingdom of Bahrain, 14 February 2002, Bahrain.

*b. The law regulates exemption of low incomes from taxes in order to ensure that a minimum standard of living is safeguarded.*

#### *Article 16 [Public Jobs]*

*a. Public jobs are a national service entrusted to their incumbents, and **State employees shall have the public interest in mind when performing their jobs. Foreigners shall not be entrusted with public posts except in those cases specified by law.***

*b. Citizens are equal in the assumption of public posts in accordance with the conditions specified by law.*

### *Chapter III Public Rights and Duties*

#### *Article 18 [Human Dignity, Equality]*

*People are equal in human dignity, and citizens are equal before the law in public rights and duties. There shall be no discrimination among them on the basis of sex, origin, language, religion or creed.*

#### *Article 30 [Military Service]*

*a. Peace is the objective of the State. The safety of the nation is part of the safety of the Arab homeland as a whole, and **its defence is a sacred duty of every citizen.** Performance of military service is an honour for citizens and is regulated by law.*

### *Chapter IV Public Authorities General Provisions*

#### *Section 2 the Executive Authority*

#### *Article 48 [Departments, Incompatibilities]*

*b. While in charge of his Ministry, **a Minister may not assume any other public office,** nor may he even indirectly practise a profession or conduct industrial, commercial or financial business, nor may he participate in contracts concluded by the Government or public institutions, or combine his ministerial position with the membership of the board of directors of any company except as a non-remunerated Government representative. Also during this period, the Minister may not purchase*

*or rent a State asset even by way of public auction, nor may he lease, sell, or barter any of his assets to the State.*

The above articles of the constitution highlighted above carries invaluable principles that should be considered to enhance the reform further and summarise as follow:

- Equality of opportunity for citizens is pillars of society guaranteed by the State.<sup>24</sup>
- The national economy is based on social justice.
- Every citizen has the right to work and to choose the type of work within the bounds of public order and decency.
- The State guarantees the provision of job opportunities for its citizens.
- Taxes and public costs are based on social justice.
- The law regulates exemption of low incomes from taxes in order to ensure that a minimum standard of living is safeguarded.
- Foreigners shall not be entrusted with public posts except in those cases specified by law.
- People are equal in human dignity.
- Citizens are equal before the law in public rights and duties.
- Its defence is a sacred duty of every citizen.
- State employees shall have the public interest in mind when performing their jobs.
- While in charge of his Ministry, a Minister may not assume any other public office, nor may he even indirectly practise a profession or conduct industrial, commercial, or financial business.

As shown in the literature review, the Bahraini opposition and Western writers continuously criticise the 'Justice' phenomenon in Bahrain. They jointly agree on the fact that the national economy in Bahrain is not based on social justice as many sects, especially the royal family, have many benefits such as monthly salaries,

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<sup>24</sup> Ralf Dahrendorf, "Citizenship and Social Class", in the Book of Martin Bulmer and Anthony M. Rees, Edited, "Citizenship Today: The Contemporary Relevance of T. H. Marshall," UCL Press, 1996.

allowances, lands, VIP passports, distinguished car registration numbers, etc. while other citizens are suffering and annoyed by this favouritism. They argue that the constitution points out that every citizen has the right to work and to choose the type of work within the bounds of public order and decency, while in reality, some sects cannot for example enrol in the Armed Forces. On the other hand, they argued that members of the royal family and their Arab allies are highly distinguished and enjoy many privileges, misuses of powers, and tax exemptions.<sup>25</sup>

In terms of the political citizenship programme where the nationality was granted to non-Bahraini's Sunnis in order to create a balance of power between the two dominant sects. Indeed, this has actually worked as a disadvantage for society. In the 1990s, the Bahraini government conferred citizenship between eight thousand and ten thousand Sunni foreign families from Saudi Arabia's Bedouins, Pakistan, Syria, Yemen, and Jordan to work in the Armed Forces.<sup>26</sup> This understandably fostered a perception by the Shia that they were discriminated against. This exclusion has led to bitterness among the Shia and some Sunnis families who ask whether their loyalty as Bahrainis is being put in doubt. Many Shia think that the ultimate goal of importing Sunnis for the security establishment and awarding them Bahraini citizenship is to change the demographic composition of the population and the balance between Shia and Sunnis.<sup>27</sup> The Shia also hate the fact that while unemployment is high, especially among their community, newcomers in key security jobs are given legal residency, good salaries, and suitable housing.<sup>28</sup>

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<sup>25</sup> Based on authors exposure and involvement in various high-level government circles.

<sup>26</sup> Based on authors exposure to privileged national security information.

<sup>27</sup> Mansoor Al Jamri has written, "*Such a large number of families imply 40,000 to 50,000 additional population, or about 13 percent of the native population. There is no doubt that many Syrian Bedouins can be seen in Bahrain now, and most of them are working for the security forces. No one can be absolutely certain of their number.*" See Mansoor Al Jamri, "*State and Civil Society in Bahrain,*" Paper presented at the annual meeting of the Middle East Studies Association, Chicago, 1998.

<sup>28</sup> Louay Bahry, "*The Socioeconomic Foundations of the Shiite Opposition in Bahrain,*" *Mediterranean Quarterly*, 11.3; 2000, p. 132.

The concept of justice however, cannot be interpreted as underwriting the basis of the government during the period in question. Article (16) and Article 48 (b)<sup>29</sup> of Bahrain's constitution points out that a state employee shall have the public interest in mind when performing their job and a Minister may not assume any other public office. A common problem is that some public workers, especially those in high positions, have their own business, misuse their governmental authority to facilitate the running of the business.<sup>30</sup> Additionally, this has ramifications on the efficiency of output by governmental employees given the time spent doing nongovernmental work.

Even indirect taxes and public costs are not based on social justice and the law did not regulate exemption of low incomes from taxes in order to ensure that a minimum standard of living was safeguarded. A bank for example registers a car for BD25 (\$66) which is a fee applicable to all. This often proves a difficult expense to bear for low incomes families as they are charged the same rate.

In fact, the government is not taking serious steps to encounter equality of opportunity for citizens, social justice, citizen to work and to choose the type of work, guarantees the provision of job opportunities for its citizens, and to prevent poverty, as the numbers of citizen in the range of poverty are increasing.<sup>31</sup> Consequently, poor and discriminated people will not be interested in the reform as their basic needs are not satisfied and usually lead to dissatisfaction and violence. Human beings are motivated by unsatisfied needs, and that certain lower needs need

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<sup>29</sup> Article (16) of the Bahrain constitution "*State employees shall have the public interest in mind when performing their job.*"

Article 48 (b) "*While in charge of his Ministry, a Minister may not assume any other public office, nor may he even indirectly practise a profession or conduct industrial, commercial or financial business, nor may he participate in contracts concluded by the Government or public institutions, or combine his ministerial position with the membership of the board of directors of any company except as a non-remunerated Government representative. Also during this period, the Minister may not purchase or rent a State asset even by way of public auction, nor may he lease, sell, or barter any of his assets to the State.*"

<sup>30</sup> Author's observation.

<sup>31</sup> United Nations Development Programme, "*The Arab Human Development Report 2004*," National Press, Amman, Jordan. See also "Poverty in Bahrain," Documentary, Bahrain Center for Human Rights, [www.bchr.net](http://www.bchr.net).

to be satisfied before higher needs can be satisfied. The theory of the hierarchy of needs by Maslow, which was explained in the first chapter, is an appropriate theory to explain this mechanism and allow an identification of the challenges being produced by the abuse of privileges and enforced inequality.

The Physiological needs are not fully satisfied in Bahrain. The unemployment rate is high: approximately 13,000 Bahrainis are out of work.<sup>32</sup> Unemployment could hit 70,000, or 35% of the workforce, by 2013 if the trends in job growth and Bahraini participation continue as they are today.<sup>33</sup> As troubling as these numbers are, they do not fully reveal how serious the problem is, because of those who are working, one-third are already working in jobs below their skill levels and that will grow to 70% by 2013 at current trends.<sup>34</sup> This means that they are not able to earn income commensurate with their education, experience, and expectations. In 16 March 2006, the Minister of Labour with a statement to all Bahraini newspapers indicating that there are more than 33,000 Bahraini employees earning monthly salary less than BD200 about \$529.<sup>35</sup> One can imagine how these people are living.

For that reason, such people will become an obstacle to the reform because they do not care about liberalisation reform, as their basic needs are not fulfilled. Therefore, these people will not move to the second layer of needs (Safety needs) unless the government looks after their basic needs. Similarly, those who are in the safety level could be stuck at this layer as Maslow indicated, because in Bahrain, security is leaking and many of Bahraini society are crying for law and order because they are not feeling safe enough. Many burglary cases has been reported and experienced by households, shops, banks, and even mosques.<sup>36</sup> Some relate this burglary to the poverty of some citizens; others relate it to the misunderstanding of liberalisation

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<sup>32</sup> The Minister of Labour indicated in an interview in *AlAyam* newspaper in December 2005 that the registered unemployed people in the Ministry until December 2005, were about 13,000.

<sup>33</sup> Economic Development Board, "Reforming Bahrain's Labour Market," Bahrain, Sept. 23, 2004, p. 4.

<sup>34</sup> Ibid.

<sup>35</sup> *Al Wasat*, Thursday 16 March 2006.

<sup>36</sup> Every day newspapers report few burglaries cases and Friday prayer speeches by *Mullah* highlight these issues too.

rights. Moreover, road safety is also declining and there is rapid increase in traffic fatalities and injuries in Bahrain.<sup>37</sup> These things have to do with the confused and soft action of the Ministry of Interior, as reaction to change citizens' views of the nightmare of the security law, but some people have misused this gentleness behaviour and mess around with the rules.

As the concept of the hierarchy of needs point out that safety needs sometimes motivate people to be religious. Religions comfort us with the promise of a safe secure place after we die and leave the insecurity of this world. These feelings is by itself threat to the development of the country as these people will become passive citizens and create in some cases various forms of extremism and fundamentalism. Religious fundamentalism could generate in some cases those who translate their needs and demands by the use of force and violence. Moreover, in Bahrain, many citizens are still lack the security of owning a private residence and this is compounded by the cost to get married and have family given their low incomes. Again, such group will get stuck in this layer of Maslow's hierarchy of needs and will not be able to move to the 'Social Needs' and may indeed move backward to the 'Physiological Level'. As pointed out earlier, violence and other evils occur when human needs are dissatisfied. In other words, people who are deprived of lower needs such as 'Safety' may defend themselves by violent means.

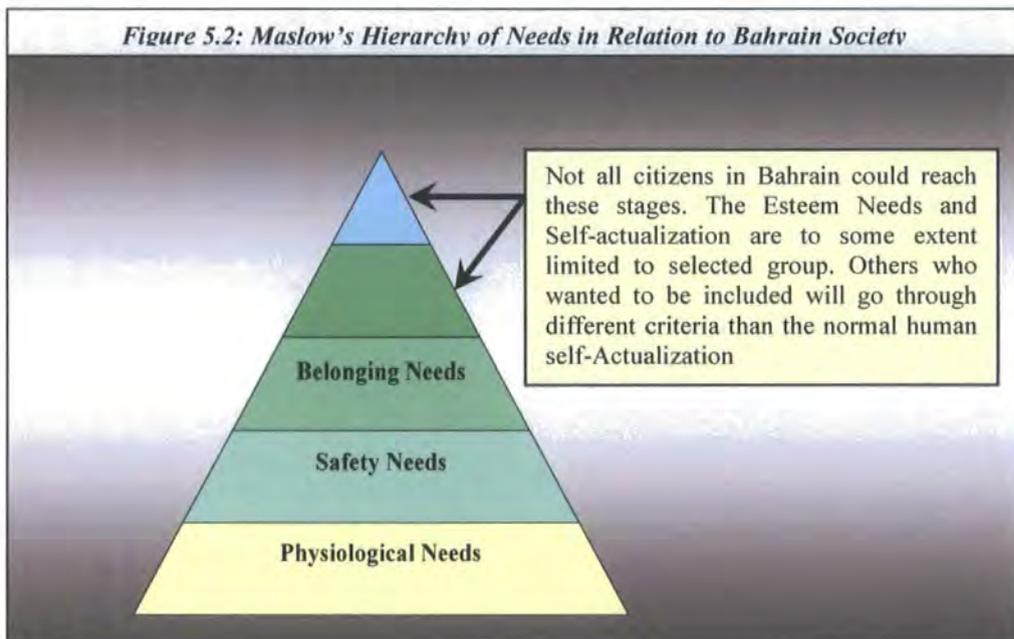
Now, in keeping with Maslow's theory, if one wants to be truly self-actualising, to become everything that one is capable of becoming, one needs to have one's lower needs taken care of, at least to a considerable extent. This makes sense: If one is hungry, one are scrambling to get food; if one is unsafe, one has to be continuously on guard; if one is isolated and unloved, one will need to satisfy that need; if one has a low sense of self-esteem, one will be defensive or compensate. When lower needs are unmet, one cannot fully devote oneself to fulfilling one's potentials.<sup>38</sup>

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<sup>37</sup> *AlAyam Newspaper*, 7 April 1999, 16 April 1999, "In Bahrain: One Road Accident every 17 Minutes," 23 March 2002, 3 September 2004.

<sup>38</sup> *Recommended source*: Frank Goble, *The Third Force*, Grossman, New York, 1970. *Field research*: Gerald Huizinga, *Maslow's Hierarchy in the Work Situation*, Wolters-Noordhoff, Groningen,

Consequently, for the majority of Bahraini citizens, there is no higher layer for them than the belonging needs (see Figure 5.2 below). In Bahrain, not everyone can be fully be “himself” and become everything that one is capable of becoming according to Maslow’s definition. This is because the government still makes appointments based on patronage rather than through a meritocracy. If the majority will not reach this level, and those that do are not ‘himself’, then the outcome will be ineffective to the development of the self-esteem and so can never be active and productive citizen, whether in the classical tribal way of living or indeed through a liberalised system.



As Maslow indicated earlier, people, who have all of their lower needs satisfied, often drive very expensive cars because doing so raises their level of esteem. However, in Bahrain, people are confusing. While their lower needs are not satisfy, they try to move to the esteem level and often drive very expensive cars, nice registration numbers, well-dressed, latest mobiles, and travel abroad every summer, because doing so raises their level of esteem. Unfortunately, all these make-up done

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Netherlands, 1970. Andrew Neher, "Maslow's Theory of Motivation: A Critique," *Journal of Humanistic Psychology* George Norwood, *Maslow's Hierarchy of Needs*, June, 1996, Abraham Maslow, *Motivation and Personality*, 2<sup>nd</sup> ed., Harper & Row, 1970.

by heavy loans just to be respected and avoid laws and regulations. In Bahrain, you are judged by the above cosmetics rather than by your personality. The government of Bahrain with the cooperation of the commercial banks try to limit personal loan in order to put an end to the damage people causing to their personal life. Bahrain Monetary Agency issued rules and regulations to limit the personal loans. Banks should not give loans, credit cards, and overdraft facilities to an individual where the instalments exceeding half of his salary and should not exceed seven years as a maximum period for paying off the whole amount of his loan. These rules and regulation for protection of Bahrain families did not yet work, as there is an increase in the personal loans from year 2004 to 2005 as shown in Table 5.2 below.<sup>39</sup>

*Table 5.2: Distribution of Loans and facilities from Commercial Banks in Bahrain*

Descriptions	2004		2005	
	BD Million	%	BD Million	%
Personal Loans	1015	45.5	1194	45.5
Business Loans	341	15.3	436	16.6
Constriction & Real Estate	187	8.4	302	11.5
Manufacturing	298	13.3	283	10.8
Government	207	9.3	203	7.7
Total including other loans	2231	100.00	2624	100.00

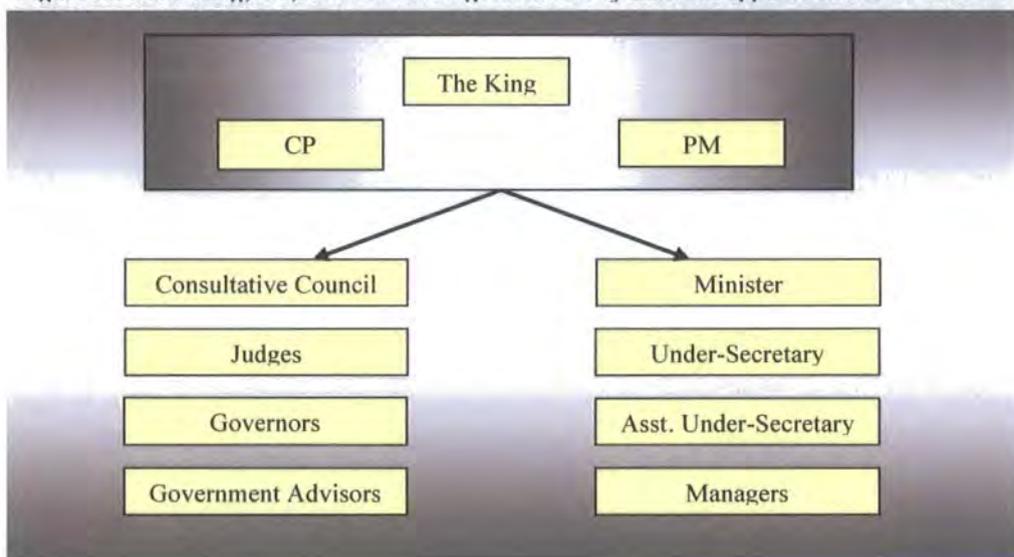
Source: Bahrain Monetary Agency, 2005

Depending heavily on foreigners, especially at the level of advisors, judges, and by recruiting many foreign consultation organisations, the net effect seems to destroy the confidence in a Bahraini meritocracy by the educated and experienced citizens as well as the younger generation. The young generation's perception can be understood by the following question: Why should I work hard when I am not trusted and higher posts go to foreigners and promotions take place for reasons other than productivity and/or talents?

<sup>39</sup> Economic Research Directorate, Bahrain Monetary Agency, Quarterly Statistical Bulletin, Volume 31, Number 3, September 2005.

Bahraini citizens do not have the ability to choose the leader with the most power in Bahrain, such as the King, CP, PM, Ministers, and many others vital positions in the government. On the other hand, they cannot aspire to become one of the Executive or Judiciary branches given the need for *Wasta*.<sup>40</sup> According to Bahrain's constitution, the King is the head of all three branches of government. He appoints cabinet ministers, members of the Consultative Council, and appoints all judges. See Figure 5.3.

**Figure 5.3: The King, CP, and PM in the government of Bahrain appoint all these Positions**



In wrapping up, Maslow's theory, these four types of needs must be satisfied before a person can act unselfishly. Democracy or any liberalisation reform should give people "opportunities" to become what they want. People ambitions can be satisfied. In most developing countries, an individual can choose his leaders and can become one. He can dream to become a president, vice president, a minister, an actor, wrestler, athletic, scholar, etc. The ceiling of his/her ambitions is widely open and can make his/her dream become true and consequently become active and unselfish citizen . . . So can People in Bahrain do so!

<sup>40</sup> *Wasta* is an Arabic term used to describe connections with people in higher authority to which they can parlour favours/benefits.

#### (4) The Family<sup>41</sup>

##### *Article 5 [Family]*

*b. The State guarantees reconciling the duties of women towards the family with their work in society, and their equality with men in political, social, cultural, and economic spheres without breaching the provisions of Islamic canon law (Shari'a).*

*c. "... It strives to safeguard them against ignorance, fear, and poverty."*

This constitutional article challenge very sensitive social issues. No one really experience that the state is trying to guarantee reconciling the duties of women towards the family with their work in the society. No practical procedure ever taken to consider women's works in the society with her duties towards her children and husbands. Moreover, work atmospheres in the public and private sectors do not comply with the *Shari'a* in this regard. These inconsideration lead to the creation of Islamic fundamentalists that threat the situation and also generate less family solidarities.

#### (5) Natural Resources<sup>42</sup>

##### *Article 9 [Property]*

*g. The State shall make the necessary arrangements to ensure the exploitation of land suitable for productive farming, and shall strive to raise the standards of farmers. The law lays down how small farmers are to be helped and how they can own their land.*

##### *Article 11 [Natural Resources]*

*All natural wealth and resources are State property. The State shall safeguard them and exploit them properly, while observing the requirements of the security of the State and of the national economy.*

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<sup>41</sup> Chapter II, the Constitution of the Kingdom of Bahrain, 14 February 2002, Bahrain.

<sup>42</sup> *Ibid.*

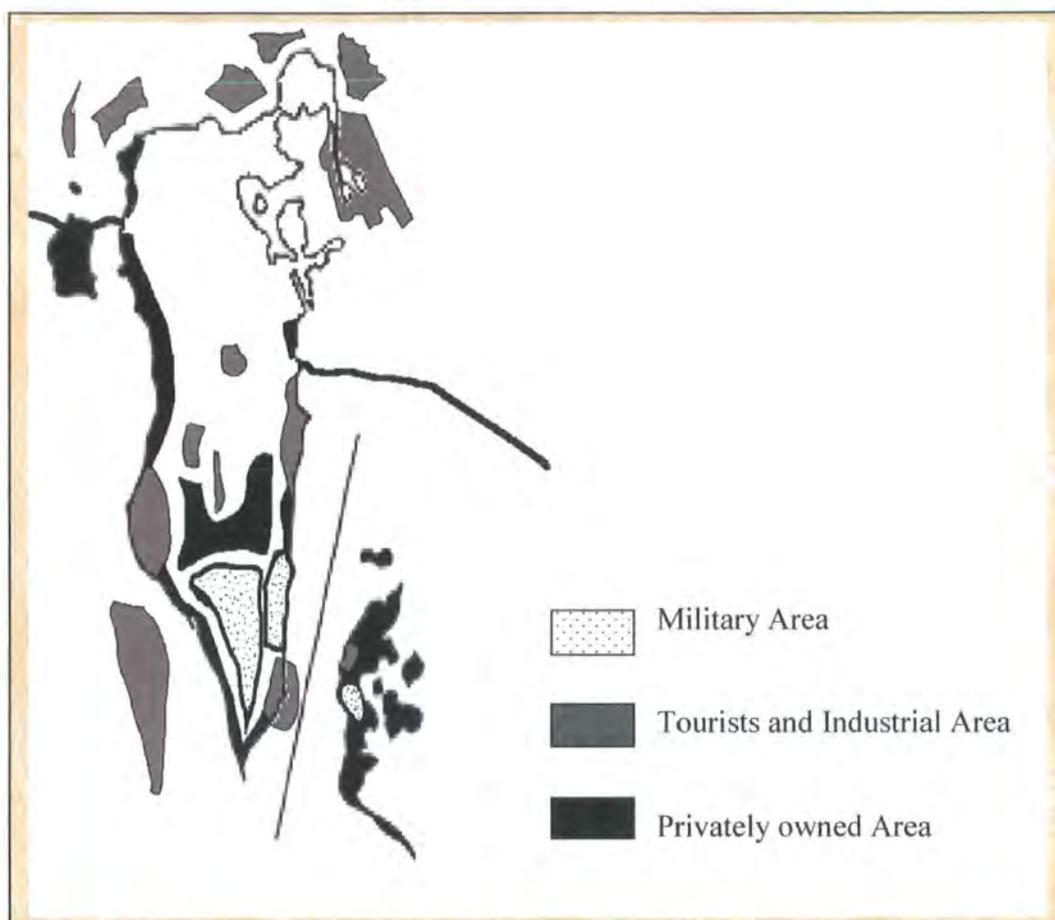
The country is transforming all lands suitable for productive farming to urban buildings. Furthermore, influential individuals own the majority of such lands. Desertification resulting from the degrading of limited arable land, period of drought; coastal degradation (damage to coastlines, coral reefs, and sea vegetation) resulting from oil spills and other discharges from large tankers, oil refineries, and distribution stations; lack of freshwater resources, groundwater and seawater are the only sources for all water needs. Map 5.1 shows that the majority of the islands are privately owned. Observers, businessmen, and many other analysts find it very distractive to live over an island and do not have beaches.

In April 2005, the Kingdom of Bahrain selected Skidmore Owings & Merrill LLP to prepare “National Planning Development Strategies” that would set forth a strategic vision for the Kingdom until 2023. Led by the Economic Development Board and chaired by Ali Saleh Al Saleh, the Minister of Municipalities and Agriculture, this project will provide the Kingdom with the tools to make critical land use decisions. The first draft of the study indicated that only 3% of Bahrain’s beaches are available to the population.<sup>43</sup>

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<sup>43</sup> *AlAyam* Newspaper, “Skidmore Report,” Saturday 25 March 2006.

Map 5.1: Land in Bahrain



Sources: Different newspapers articles and the report of Skidmore

Ebrahim Sharif Alsayed, head of the National Democratic Action Society, gave presentation about “*Bahrain: State-Sponsored Corruption*” in 25 August 2005 in London and in 7 September 2005 in *Jameiat Al Amal Al Watani* (National Democratic Action Society). He said; “Three decades of absolute rule resulted virtually all public lands misappropriated. In 1974, the parliament tried to pass legislation that regulates the distribution of government land, but the government objected and defeated it. By year 2000, over 90% of habitable lands went to private hands (source: Ministry of Housing). Today the government instead of returning those lands it started to reclaiming sea or repurchase lands in to build new housing projects, a very expensive proposal both environmentally and financially. He added that since independence at least 200 km of government lands may have been

misappropriated; add to it most of the 60 km of the reclaimed lands. Moreover, tens of km of sea lands yet to be reclaimed but has already been distributed to people in power. See Table 5.3 below.

*Table 5.3: Value of Land Misappropriated*

	Land	Reclaimed	To be Reclaimed	Total
<b>kilometre</b>	100	30	100	230
<b>Meter for kilometre</b>	1,000,000	1,000,000	1,000,000	
<b>Feet for kilometre</b>	10	10	10	
<b>BD per feet</b>	5	15	10	
<b>Value</b>	5,000,000	4,500,000	10,000,000	19,500,000

*Source: Ebrahim Sharif presentation "Bahrain: State-Sponsored Corruption" in 25 August 2005.*

Ebrahim Sharif used *Toobli Bay* as an example to show how the government in Bahrain was irresponsible. He pointed out that *Toobli Bay* was one of the richest marine habitats on the Island with significant fish and shrimp stocks. By 1990's this habitat was virtually destroyed by reclamation of land largely owned by members of the ruling family. Area of the Bay shrank from 25 sq km to only 11 sq km, and continues to shrink. Today's market value of reclaimed *Toobli* sea is estimated at over \$ 3 billion, most of which went to the ruling family. Moreover, he challenges the affirmation of Bahrain government of the land scarcity. He illustrates the following hypothesis:

There are 70,000 Bahraini families, 500 sq m per family, and 35 sq km required to satisfy all Bahrainis. In the Last 30 years, over 60 sq km of land was reclaimed, enough to give a plot to each Bahraini. He added that one island owned by a leading member of the ruling family has sufficient area, 20 sq km, to solve the whole so-called land scarcity.

A nice picture by cartoonist Khalid Al Hashemi in *Al Ayam Newspaper* in Sunday 19<sup>th</sup> June 2005 explained exactly the situation of beaches in Bahrain and confirm the

saying of ‘a picture paints of thousands words.’ It says; “put 100 fils to see the beach.”

Picture 5.1: Seeing Bahrain's Beaches



#### (6) Compensation<sup>44</sup>

##### Article 12 [Compensation]

*The State guarantees the common liability of society in bearing the burdens arising from public disasters and ordeals, and for compensating those affected by war damage or as a result of performing their military duties.*

The government should seriously look at the poverty and social prejudice in the country and admit that these consequences happened because of the corruption and inequality between citizens that took place before King Hamad succeeded the throne in March 1999. King Hamad repeatedly said the word ‘reform’, which in Arabic means ‘Eslah’. This term means correcting a given situation for the better. This clearly indicates that there were problems that needed to be reformed in his opinion. What the old regime did to the society could be considered, as ‘public disasters’ and the State should compensate those affected as stipulated in Article 12 as illustrated above. Accordingly, the government should compensate these people with money to

<sup>44</sup> Chapter II, the Constitution of the Kingdom of Bahrain, 14 February 2002, Bahrain.

enable them to get rid of debts, the negative perception of the government, violence, and start over in a healthier environment. Otherwise, there would be no reform if these people have been neglected. A suggested solution will be proposed in the chapter that follows.

(7) The Power of the King<sup>45</sup>

*Section 1- The King*

*Article 33 [Head of State, Powers]*

*d. The King appoints and dismisses the Prime Minister by Royal Order, and appoints and dismisses Ministers by Royal Decree as proposed by the Prime Minister.*

*h. The King chairs the Higher Judicial Council. The King appoints judges by Royal Orders, as proposed by the Higher Judicial Council.*

*m. The Royal Court is attached to the King. A Royal Order shall be issued to regulate it. Its budget and the rules for the budget's control are set by a special Royal Decree.*

*Article 54 [Term]*

*d. The King shall appoint the President of the Consultative Council for the same period as the Council, and the Council shall elect two Vice-Presidents for each convening period.*

*Article 58 [Term]*

*(2) The King may, when necessary, extend the legislative season of the Chamber of Deputies by Royal Order for a period not exceeding two years.*

*Article 67 [Limitations]*

*d. If the National Assembly decides by a majority of two thirds of its members that it is not possible to cooperate with the Prime Minister, the matter is submitted to the King for a decision, either by relieving the Prime Minister of his post and appointing a new Government, or by dissolving the Chamber of Deputies.*

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<sup>45</sup> Chapter IV, the Constitution of the Kingdom of Bahrain, 14 February 2002, Bahrain.

*Article 70 [Legislation]*

*No law shall be promulgated unless approved by both the Consultative Council and the Chamber of Deputies, or the National Assembly as the situation demands, and ratified by the King.*

*Article 120 [Constitutional Amendments]*

*a. Exceptionally to clauses b, c and d of Article 35 of this Constitution, for any provision of this Constitution to be amended the amendment must be approved by a two-thirds majority of the members of whom both the Consultative Council and Chamber of Deputies are composed, and the amendment must be approved by the King.*

It is well understood that the King inherited a position where he enjoyed excessive powers. This was a relic of the old regime. However, it had its uses in that his position was under attack from opposition quarters. Such powers gave him security and the confidence to move ahead with the reforms and into the uncharted future. As a first step, the King should start delegating some authority to relieve the stress of the people and to lighten the burden of his responsibilities. This also will be a first stage in a quid pro quo with the opposition groups. He could for example, make the Audit General Court reports to the Chamber of Deputies instead of reporting to the Executive branch. The present scheme on appointing the Ministers and the other executives is not based on professional criteria. Appointments are still limited to security and tribal issues. They are not selected for their skills and professions that could in return improve the work and could eliminate corruption. Additionally, there are numbers of qualified Bahraini lawyers and judges with long experience, but the government continues appointing foreigners for these posts. This has led the general opinion to conclude that these appointments are purely to control the judicial branch and be able to interfere when needed. Such actions have served to widen the gap of trust between the government and citizens.

The legislative authority<sup>46</sup>

*[Part 3 General Provision]*

*Article 51 [Chambers]*

*The National Assembly consists of two Chambers: the Consultative Council and the Chamber of Deputies.*

Part 1- The Consultative Council

*Article 52 [Composition]*

*The Consultative Council is composed of forty members appointed by Royal Order.*

Part 2- The Chamber of Deputies

*Article 56 [Composition]*

*The Chamber of Deputies comprises forty members elected by direct, secret general ballot in accordance with the provisions of the law.*

*Article 67 [Limitations]*

*a. The subject of confidence in the Prime Minister shall not be raised in the Chamber of Deputies.*

*b. If, two-thirds of members of the Chamber of Deputies consider it not possible to cooperate with the Prime Minister, the matter will be referred to the National Assembly to consider it.*

*c. The National Assembly cannot issue its decision on the lack of possibility of cooperating with the Prime Minister prior to seven days from the date the matter was referred to it.*

*Section 3- The Legislative Authority National Assembly*

*Part 3 Provisions Common to Both Chambers*

*Article 70 [Legislation]*

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<sup>46</sup> Ibid.

*No law shall be promulgated unless approved by both the Consultative Council and the Chamber of Deputies, or the National Assembly as the situation demands, and ratified by the King.*

*Article 80 [Quorum]*

*(1) For a meeting of both the Consultative Council and the Chamber of Deputies to be valid, a quorum of more than half the members of each chamber must be present. Decisions shall be taken on an absolute majority of members present, except in cases where a special majority is stipulated. In the event of a tied vote, the matter shall be decided in favour of the side that includes the President of the chamber. If the voting relates to the Constitution, voting shall be conducted by calling upon members by name.*

*Article 81 [Initiative]*

*The Prime Minister shall present bills to the Chamber of Deputies, which is entitled to pass, amend or reject the bill. In all cases the bill shall be referred to the Consultative Council, which is entitled to pass, amend or reject the bill or to accept any amendments which the Chamber of Deputies had introduced to the bill, or had rejected or amended them. However, priority of debate shall always be given to bills and proposals put forward by the Government.*

*Article 82 [Reconsideration]*

*If the Consultative Council does not approve a bill passed by the Chamber of Deputies, whether the Consultative Council's decision involves rejection, amendment, deletion or addition, the President of the Council shall return it to the Chamber of Deputies for reconsideration.*

*Article 83 [Submission]*

*If the Chamber of Deputies accepts the bill as it receives it from the Consultative Council, the President of the Consultative Council shall refer it to the Prime Minister who will submit it to the King.*

*Article 84 [Amendments]*

*The Chamber of Deputies may reject any amendment made to a bill by the Consultative Council, and may insist on its previous decision without introducing any new amendments to the bill. In such a case the bill shall be returned to the Consultative Council for reconsideration. The Consultative Council may accept the decision of the Chamber of Deputies or insist on its previous decision.*

*Article 85 [Disputes, Joint Session]*

*If the two Chambers differ twice over any bill, the National Assembly shall convene in joint session under the chairmanship of the President of the Consultative Council to discuss those clauses in dispute. For the bill to be accepted, the decision of the National Assembly must be taken on a majority of members present, and when the bill is rejected in this manner it shall not be presented to the National Assembly again in the same convening period.*

*Article 86 [Approved Bill]*

*In all cases in which a bill is approved, the President of the Consultative Council shall refer the approved bill to the Prime Minister so that he submits it to the King.*

*Article 102 [Chairmanship]*

*The joint National Assembly meeting shall be chaired respectively by the President of the Consultative Council, or in his absence by the President of the Chamber of Deputies, followed by the First Vice-President of the Consultative Council, followed by the First Vice-President of the Chamber of Deputies.*

*Article 103 [Quorum]*

*In the cases other than those in which the Constitution requires a special majority, joint sessions of the two chambers of the National Assembly shall not be deemed legally valid unless they are attended by the majority of the members of each individual chamber. Decisions shall be taken by a majority of the votes of members*

*present with the exception of the President, who is to cast the decisive vote in the event of a tie.*

*Chapter VI General and Final Provisions*

*Article 120 [Constitutional Amendments]*

*a. Exceptionally to clauses b, c and d of Article 35 of this Constitution, for any provision of this Constitution to be amended the amendment must be approved by a two-thirds majority of the members of whom both the Consultative Council and Chamber of Deputies are composed, and the amendment must be approved by the King.*

*c. It is not permissible to propose an amendment to Article 2 of this Constitution, and it is not permissible under any circumstances to propose the amendment of the constitutional monarchy and the principle of inherited rule in Bahrain, as well as the bi-cameral system and the principles of freedom and equality established in this Constitution.*

The articles regarding the Legislative Branch are relatively disappointing for some observers. The 40-member elected Chamber of Deputies and 40-member Consultative Council appointed by the King share equal, although limited, legislative authority. In the event of a deadlock, the president of the appointed council can cast the tie-breaking vote as it is illustrated in Article (102) and (103) of the constitution above. When people voted overwhelmingly in 2001 for the NAC, they thought that the appointed council would be smaller and only consultative. Instead, the structure of the new parliament virtually guarantees that ultimate decision-making power remains in the palace.<sup>47</sup> This means that, in practice, the King can exercise veto power through his control of the appointed chamber. This disregards the 1973 constitution, which gave the elected legislature the exclusive right to pass laws. When compared with those appointed purely at the decision of the King, it can be seen as unfair that for someone to run for a position in the elected

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<sup>47</sup> International Crisis Group, "Bahrain's sectarian Challenge," Middle East Report No. 40, May 6, 2005, p. 6.

chamber they have to go through several time consuming registration processes in addition to the costly expense of election campaigning.

In addition, the King may when necessary, extend the legislative season of the Chamber of Deputies by Royal Order for a period not exceeding two years. The subject of confidence in the Prime Minister cannot not be raised in the Chamber of Deputies, and no law shall be promulgated unless approved by both the Consultative Council and the Chamber of Deputies, or the National Assembly as the situation demands, and ratified by the King. It does seem fair or logical that ministers may be questioned by the Chamber of Deputies and be forced to resign, whilst the PM, who gives these ministers their objectives and responsibilities, is not subject to this rule.

Article (3) - point (4) of the Law of the Shura Council and the Parliament (Issued by Law by decree No. 14 for the year 2002) reads: "*The selected person must either be experienced and (or) one of those who have performed distinguished service(s) to the Country in one of the following fields:*

- ***Members of the ruling Family.***
- *Former minister.*
- *Those who have worked at the post of ambassadors and minister plenipotentiary.*
- *Former Members of the judicial bodies.*
- *Retired security officials.*
- *Former Senior Scholars, businessmen and professionals.*
- *Former members of the parliament.*
- *Those who have exceptional popular trust and support.*

Specifying members of the ruling family as a category of the honouree citizen is commonly seen as frustrating. No one will object if members of the ruling family are one of the other categories on the list. At least they have not been distinguished as a higher gene, where the constitution has mentioned in several articles that people

are equal in human dignity, and citizens are equal before the law in public rights and duties, and that there shall be no discrimination among them on the basis of gender, origin, language, religion or creed.

The more vital challenge faces the King in the next election and the new appointed council is the selection of the members. As most of the opposition societies that boycotted the 2002 parliamentary election will enter the 2006 one, the King need to be very selective and careful in his new decision. Table 5.4 below shows the performance of the most loyal personnel during the three session of the Consultative Council meeting. The table illustrate that the selected individuals especially the x-military, women, and Al Khalifa where not up to the challenge in comparison with the members of the elected chamber shown in Table 5.5 below.<sup>48</sup> In general, their contributions were very weak.

*Table 5.4: Performance of member of the Consultative Council  
(October 2002 to October 2005)*

<b>The Consultative Council's members</b>	<b>Number of recommendations for draft laws</b>	<b>Contribute in present recommendations for draft laws</b>	<b>Number of Questions directed to Ministers</b>
X-Military Personnel	0	0	0
Women	2	7	3
Al Khalifa	0	1	0
Others	14	27	25
<b>Total</b>	<b>16</b>	<b>35</b>	<b>28</b>

<sup>48</sup> A detailed analyses of both chambers illustrated in *Al Wasat* Newspaper, Sunday 2 October 2005.

*Table 5.5: Performance of member of the Chamber of Deputies  
(October 2002 to October 2005)*

The Elected Chamber's members	Willingly recommendations	Number of recommendations for draft laws	Contribute in present recommendations for draft laws	Number of Questions directed to Ministers
<b>Total</b>	<b>147</b>	<b>63</b>	<b>206</b>	<b>94</b>

The constitution is the most critical challenge to the King, and he may reconsider the power of the appointed council and the consequences of doing so. The opposition will continue boycotting the process arguing that by doing so they will provide de facto recognition to the parliament and the Constitution.

The challenge that the King faces is the never-ending demonstration by oppositions groups against the constitutional amendment reform that split legislative power equally between the elected chamber and the appointed consultative council. These demonstrations reach the point where people call Bahrain nowadays “*the country with million rallies*” rather than what it is used to be called “*the country with million trees.*”

Again, as mentioned earlier, these restricted delegation and conservation could be acceptable as start of the reform, but it should be reconsidered in the coming election in 2006.

### 5.2.2 The King's Speeches

The research pointed out in chapter three that the King's Speeches are to be considered as strategic planning for the government and all citizens to consider and comply with. However, after all changes and challenges the King put to his government and his people, the implementation of the reforms is very slow and produced lots of frustrations. Below are some of the strategic issues that the King pointed out and the actions taken accordingly by the government to unite the society.

Date of Speech	Quote from the King's Speeches	Action Taken
13 March 1999	<p><i>"In line with this, <u>we need to meet the demands and changes of the future, in a world rife with volatility, by means of Bahrain's potentialities comprising the ability to develop and revitalise since the start of process of modern progress and development.</u> For that, Bahrain has been leading the drive among brotherly states and closely working with them in this vital region of the Arab nation and the whole world."</i><sup>49</sup></p> <p><i>"It would be necessary to express to all of you all gratitude over the cohesion and sincere loyalty you have demonstrated at this historical situation, representing your <u>sustained allegiance</u> which reflects true unity between the people and their leadership in this cherished country. I would like to say it clearly that as a son of Isa and as an adherent to the duty, I</i></p>	<p>The government is trying hard and started several steps to develop and meet the internal and external demands. But the process of the government is slow.</p> <p>On the other hand, Bahrain was leading the region but not any more. Most of GCC countries are heading away from the Kingdom. Their citizens are proud of the process and the returns of the development are distributed fairly.</p> <p>The King showed his appreciation to his people for their loyalty and sustained allegiance through the history of the country. However, inequality is still the base of the government. There is a differentiation between citizens based in their beliefs and origin. A good example is the discrimination of Shia, Ajam, and Hawala in working in the armed</p>

<sup>49</sup> Ministry of Information, "The Speeches of His Majesty King Hamad bin Isa Al Khalifa, King of Bahrain," Ministry of Information publication, Bahrain, 2002, p. 9.

<sup>50</sup> Ibid, p. 10.

<sup>51</sup> Ibid.

<p><u>shall raise the standard of his path which does not differentiate between the people of the single nation, regardless of their beliefs and origin, and which only consider the honesty of national association, and which consider the true citizenship which seeks every goodness for Bahrain and her people.</u> ”<sup>50</sup></p> <p>“<u>We are greatly confident that our Bahraini civilised society is blessed with much potential of real progress upon which we can build in the path of political, administrative, and economic development. Such path we highly believe in and consider it as a source of richness for our traditions of consultation, and as a pattern for governmental development and for accomplishing the comprehensive progress and diversifying of the national economy in the interest of the people of this nation and every piece of this soil.</u>”<sup>51</sup></p>	<p>forces.</p> <p>The government of Bahrain still has no confidence in its citizens. The increasing number of foreigners, especially for the high posts and advisory jobs, does not prove the confidentiality of the government towards the citizens.</p> <p>Moreover, the changes made by the King in the government still do not meet the people's expectations. The national economy that the country is following by making lots of tourism projects is only targeting the already wealthy group and does not include the in need citizens.</p>
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<p>31 July 1999</p>	<p><i>“It has been clear that the steps we have taken for the sake of <u>fostering the national unity through the Amiri pardoning of those misled groups, a matter which received every acknowledgment and positive response from all.</u> We shall keep on, and forever, joining efforts with the sincere groups of our people, regardless of their creeds or origin, <u>on basis of strong national spirit and through consulting on mutual views and vision in seek for a better future.</u>”<sup>52</sup></i></p>	<p>The King has made some steps to overcome the restless Shia by emptying persons from them and allowing exiles to return home. But the government, on the other hand, is not following the same wisdom and path. They still frustrating citizens and is not putting enough efforts to build up strong national spirit, which considered to be the most important factor for development.</p>
<p>16 Dec. 2000</p>	<p><i>“Our approach drives from our common aspiration for the sake of developing the institutional bodies and system of the state and move from the formula of progressing state that was established by fathers and for <u>a new stage of modern state that mirrors yours ambitious and cope with various international changes.</u>”<sup>53</sup></i></p>	<p>The King here requests to transform Bahrain to a modern state. Since that date people in Bahrain only experience structural changes but nothing has change in implementing new system that speed up process, jobs depend on qualification rather that tribal management system, fair distribution of wealth, and all aspects of modern countries.</p>

<sup>52</sup> Ibid, p. 18.

<sup>53</sup> Ibid, p. 50.

	<p><u>“A cosmopolitan and safe financial and economic centre, governed by legislation and rules in this vital region of the world.”</u></p> <p><u>“We also closely view the intent of our Crown Prince and Commander in Chief of the Defence force Sheikh Salman bin Hamad al Khalifa to come for the youth, develop of the BDF, keenness to follow up economic growth and encouragement of investment with the aim to raise the living standard of the citizens and revive the national economy.”</u></p>	<p>Bahrain still could not compete with the neighbouring countries in facilitating the rules and regulation of local and foreign investors. These old complicated governmental administrative procedures make investors flee from Bahrain to Dubai, Qatar, and Oman for better services.</p> <p>Since the time of the speech until the date of the research and the CP is still struggling with the government and private sector in removing the administrative procedures to encourage investment. However, the visible challenge the CP faces is BDF. As this organisation is directly under his father and his direct control, he may do healthier</p>
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<sup>54</sup> Ibid.

<sup>55</sup> Ibid, p. 52.

<sup>56</sup> Some ministries are not included in the list of the NAC to be audited. The Royal Court, the Ministry of Interior, and the Ministry of Defence are examples of this situation.

<sup>57</sup> All official Bahraini Newspapers reviewed some issues of the NAC’s reports, Saturday 7 January 2005.

<sup>58</sup> **Article 97 [Auditing] of 1973 Constitution**

*“A financial control and audit commission shall be established by a law, which shall ensure its independence. **The commission shall be attached to the National Assembly** and shall assist the Government and the National Assembly in controlling the collection of the State revenues and the disbursement of its expenditures within the limits of the budget. The commission shall submit to both the Government and the National Assembly an annual report on its activities and its observations.”*

<sup>59</sup> Omar Al Hassan, “The Kingdom of Bahrain in 2002,” Gulf Centre for Strategic Studies, London, 2003, p. 9.

<sup>60</sup> Michael Herb, “Emirs and Parliaments in the Gulf,” Journal of Democracy, Volume 13, Number 4, October 2002, p. 46.

<p><i>These is fact reflect the aspiration of Bahrain youth towards better future. Certainly, the <u>removing of barriers and restrictions before the economy and the opening of future investment opportunities, away from political and administrative procedures, are among the essential needs for the desired economic growth.</u> In fact Bahrain has the solid growth and for free economy which streamline the achieving of this objective.”</i></p> <p><i>“As we pointed out in our address during the new term of the Shura council, we need to state that advancing to the stage of modern state, entails a comprehensive and balanced modernising of the powers, the executive, the legislative and the judiciary. In regard to the executive power, there is a need to continue the <u>improving and upgrading of the administrative performance,</u> together with the stimulating of vehicles of accountability and control and to promote the level of <u>transparency in all institutions.</u>”</i></p>	<p>development to it to meet the new challenges of the reform. He may create an administrative system to be as a proto type for the other governmental ministries.</p> <p>A comprehensive and balanced modernizing of the powers, the executive, the legislative, and the judiciary have not change to advance to a modern state. The King still controls the three powers. On the other hand, the government still too has power over the judiciary branch and did not improve and upgrade of the administrative performance. The level of transparency by the government is not yet meeting the King’s expectations. The National Audit Court’s (NAC) report on selected ministries<sup>56</sup> indicated that there is no full</p>
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	<p><i>As regard to the legislative body, we view that the democratic and constitutional developments in the world require the adopting and introducing of a bi-cameral system, whereby the members of the deputy chamber are freely and directly elected by the citizens and shall have the legislation task. Beside that, a Shura (consultative) council, made of well vision, and professionalised figures that are able to give proper advice and guidance. The scope shall be open for all concerned bodies and institutions to, legally and constitutionally, absorb and adapt to this modern formula.</i></p>	<p>cooperation by the ministries with the court. Moreover, there were dark areas in the financial transaction that could not been cleared.<sup>57</sup></p> <p>In contrary, the Financial Control and Audit of 1973 Constitution was reporting directly to the National Assembly.<sup>58</sup></p> <p>In regard of the legislative body, the bicameral system has failed to meet citizens' prospects. Amendments to the constitution gave the Consultative Council appointed by the King the same legislative powers as those given to the elected chamber. This meant that the concentration of power remains in the hands of the un-elected authority.<sup>59</sup></p> <p>Disagreement between the elected chamber and the appointed one are to be resolved by a vote of all members, with 40 members each and the head of the National Assembly is from the appointed chamber, this gives elected deputies less power than they enjoyed under the 1973</p>
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	<p><i>In regard to the judiciary power, we seek to actuate the judicial bodies with the aim to speed up the processing of legal cases while emphasise the independence of these bodies. In fact, Bahraini judiciary has been independent since its inception. This has always been and shall remain one of the solid guarantees for protecting human rights that are well legislated and documented in the holy book.”<sup>54</sup></i></p> <p><i>“On other hand, we are pleased to declare on this dear occasion and during this holy month, that we gave order to grant a one month basic salary to citizens employees of the government to reduce the monthly instalments for all beneficiaries of housing services, to reduce electricity fees for the benefit of limited income citizens and to reduce custom duties with aim to revive the economic drive in the country.”<sup>55</sup></i></p>	<p>Constitution.<sup>60</sup></p> <p>The National Assembly does not monitor state financial affairs as, by virtue of Decree No. 16 in July 2002, the NAC reports directly to the King and does not also review income or expenditures of the Royal Court. Moreover, the King can dissolve it.</p> <p>The King has managed to reach out to his people through a number of royal gestures to repair the damages occurred through the past years and to meet the needs and demands of many Bahraini citizens. Some of these gestures have served short-term needs; others served the long-term ones. However, the government did not follow suit and try to solve poverty, unemployment, and many other socioeconomic problems.</p>
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<p>16 Dec. 2001</p>	<p><i>“The process of actuating the charter, following the overwhelming endorsement, emerged as a serried national action plan of formulating the blueprints, <u>law drafts</u>, and <u>social care programs</u>. This include adopting of executive steps, the latest of which was <u>the plan of administrative discipline in our government body, a move which leads to further competence, productivity and fairness in the oldest government body in the region</u>. The civil code has been improved to allow for valid <u>legal accountability in terms of the performance of the civil servant</u>, while there was restructuring of our court to include a <u>department for grievances and complaints</u> in order to maintain the rights of citizens.”<sup>61</sup></i></p>	<p>The King pushed for several law drafts in order to run the country as constitutional monarchy. The government comply with his instructions but unfortunately they do not when it come to implementations. The bureaucracy system is not sufficient and people always complaining of slow processing, inequality, corruption, and run by mediation (<i>Wasta</i>). Pulling strings, intercession, and nepotism play a role and have great influence in society.<sup>66</sup> Employments, for example, are based on whom you know to be employed and not on your qualification. In the contrary, the department of grievances and complaints has played a vital role in solving several people grievances. The government should also follow suit and have a small section for the same purposes in each</p>
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<sup>61</sup> Ibid, p. 76.

<sup>62</sup> Ibid, p. 77.

<sup>63</sup> Ibid.

<sup>64</sup> Ibid, p. 81.

<sup>65</sup> Ibid.

<sup>66</sup> Farid Hasan, “No need to pull strings to get something done,” Local Issues, Bahrain Tribune, Sunday 27 March 2005.

	<p><i>“Since assumed the rule, we have pledged to bring all goodness for the people of this nation, giving priority <u>to raise the living standard of the Bahraini citizen, notably those of limited income.</u>”</i></p> <p><i>We believe in involving <u>all categories of the society in the economic and social development process and the need that every group receives its fair share of the fruits of growth and of the wealth of the nation.</u> In pursuance of this objective, we continue to cultivate and distribute the economic prosperity through further policies of free economy, the privatisation of projects, the drafting of laws and discipline that tackle recession and unemployment and also to open a wide scope for <u>free trade competition that avert</u></i></p>	<p>ministries in order to preserve the right of citizens.</p> <p>The King repeatedly shows concern of poverty of his people and demands his government to raise the living standard of the Bahraini citizens especially those of limited income. Steps taken by the government are not affective and the poverty level is increasing.<sup>67</sup> Moreover, from the development projects that Bahrain adopting in building several high standard cities, the majority of the Bahraini citizens will not receive any share of the return of such growth. These strategic projects will only add more money to the buckets of the wealthy people. Additionally, people who are using dual interests suck Bahrain wealth. Because the majority of the government employees have</p>
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<sup>67</sup> United Nations Development Programme, “*The Arab Human Development Report 2003*,” National Press, Amman, Jordan.

<sup>68</sup> More details are explained in the educational challenge in this chapter.

<sup>69</sup> A details argument regarding citizenship education programme will be elaborated in chapter five.

<sup>70</sup> In 2004, Member of the Chamber of Deputies Jassim al Saeedi and other Islamists forced an Arabic network to scrap an Arab version of the reality television show ‘*Big Brother*’ because it involved unrelated men and women under the same roof. Protests on the streets of Manama denounced ‘*Sin Brother*’ even though the producers had modified the show with separate living quarters for men and women. Pressure from Islamists also forced the authorities to drop the champagne-spraying ritual at the Formula 1 motor racing grand prix in Bahrain.

<p><i>monopoly and avoid duality of interests.”<sup>62</sup></i></p> <p><i>“All such initiatives in the field of social, development, and educational growth represent the foundations for further national plans which aspire the <u>improving of living standard and meeting the needs of the citizen.</u>”<sup>63</sup></i></p> <p><i>“While the nation is proud of its achievements, and with the blessing of security and stability, we need to speak fully about the <u>role of the armed forces and public security in maintaining the stability and defending the soil of Bahrain. This role is becoming more important to protect the national accomplishments. It is certain that the men of the armed forces and public security have a civilised mission and a cultured role in all modern democracies to protect the nation and safeguard the security and the freedom of the citizen in such a way that every citizen becomes a guard for his</u></i></p>	<p>private businesses and shift most governmental projects to their businesses.</p> <p>The King here refers to the armed forces as something people should be proud with as he specifically mentions them almost in every speech. Accordingly, Bahraini citizens are admiring the role of the armed forces and wishes that their children could join such sophisticated organisation. Unfortunately, some sects of the Bahraini society are still not allowed to enrol.</p>
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<p>nation.”</p> <p>“Generally speaking, our approach is to <u>adopt an education policy that prepares our sons to meet the needs of labour market and to cope with the needs of the national economy and to ensure that curricula in schools and universities aim at matching with the developments and to prepare the new generations to observe latest technologies.</u>”<sup>64</sup></p> <p>“In regard to streamlining the <u>tourism in Bahrain, and in pursuance of providing a modern tourism through the foundations of Bahrain cultural, social, and natural features, we shall retain high values and will not allow for low standard tourism. Those concerned with the tourism sector have been giving extended time to enforce necessary steps, while we assert that there shall be no communism when it comes to</u></p>	<p>A law college was established in the University of Bahrain as directed by the King to teach all law specialisation in order to consolidate law into national life. Islamic and political institutions have been established too. On the other hand, the educational policy is not cooperating with the labour market.<sup>68</sup> However, citizenship education programme to serve the injured, and complex Bahraini society has not yet been applied.<sup>69</sup></p> <p>Tourism is dominating the Bahraini newspapers, the majority of <i>Majalis</i>, and <i>Imam</i> speeches in Friday prayers. There are constant conflicts between liberal people and Islamic regarding the issues of tourism. Liberal wants to have all sort of western attraction such as attractive females’ singers, alcohols, mixing genders programmes (Big Brother)<sup>70</sup>, and females’ dancers as the Islamist campaign may</p>
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	<p><i>considering <u>the values and tradition of Bahrain.</u> And in the same manner that we apply our approach in accountable political freedom, we remain committed to be open within <u>our tolerant religion.</u>”<sup>65</sup></i></p>	<p>prove costly for Bahrain, which relies on tourism and is investing heavily to attract foreign visitors and their much-needed cash.</p> <p>But the challenge is that wither the King could keep his obligations as indicated in his speeches and the Islamists stand against those people who sell alcoholic beverages and provide western entertainments which they have found ways to coexist for decades in Bahrain.</p>
	<p><i>“It is the high morals of the Bahrainis those initiatives have been called gestures, but in fact these came to fulfil the duty and the task of serving the goodness of the nation.”</i></p>	<p>The King should seriously think of the Bahraini citizens. Some of them, especially those around him become hypocrites. They started to confused duties with gestures. They even call the ‘fountain’ that the King order to be made in Manama in January 2006 as gesture from him. How could a fountain become a gesture to people?</p>
<p>16 Dec. 2003</p>	<p><i>“We renew our call to every loyal citizen, regardless of his opinions and views, to join hands with us in serving our people who strive for</i></p>	<p>Citizen of Bahrain has, through the history, proved through the several pledge of alliances that they are loyal to the land of these</p>

	<p><i>the dignified living which they richly deserve and which covers housing, education, employment and comprehensive welfare. This is an issue that does not tolerate hesitation no matter what the justifications and whether it is the <u>Government or any political force.</u> Everybody must assume the responsibility in light of national action, <b>democracy,</b> and transparency, and the ultimate word lies with the national conscience and people's determination."</i></p> <p><i>"the Kingdom of Bahrain is ready to join hands with its sister states to achieve a unified Gulf citizenship, a project that will offer better privileges and rights to the GCC citizens and will lead to a single Gulf currency according to plans."</i></p>	<p>Islands. All they need is the trust of their government on them.</p> <p>The government therefore, should look wider when they are looking for citizens to occupy certain posts. Citizens' loyalty should be tested practically as the King did with some opposition figures to take over a post of ministers in the government. The process proves to be successful. The Minister of Labour is a good example.</p> <p>This step is a real challenge to the King. Because if it applied most of the unemployment problems in Bahrain will be solved. It will also raise the living standard of the Bahraini citizens by replacing the foreigners in the GCC countries.</p>
<p>16 Dec. 2004</p>	<p><i>"Our dear people, as we reiterate our pride with what the legislative and executive branches have together accomplished in a short time, we wish to recall our</i></p>	<p>The family status law is creating many problems in the country. Liberal people want liberal family law where Islamists insist on having a law mostly derived from</p>

	<p><i>directives at the beginning of the third session of the Parliament's first term. Completing the nation's laws, reorganising <u>the family status</u> and focusing on the economic development issues that we consider paramount to the restructuring of the <u>national economy for the sake of all people.</u>"</i></p> <p><i>"The progress of reforms and modernisation will continue incessantly. It encompasses the areas of economy, education, management, and public services."</i></p>	<p>'Sharia.' There is also another dilemma arise within the Islamists themselves. Shia Islamists want their own family law and Sunni Islamists want their own. On the other hand, GCC committees also discussing a unify family status law for all Gulf States.</p> <p>Modernisation of the education, management, and public services is very slow if there is any. These issues are very sensitive as it concern citizens' day-to-day dealing.</p>
<p>1 Oct. 2005</p>	<p><i>"In exercising your role of overseeing Government performance, you have laid down-in cooperation with the Government-the traditions of responsible parliamentary work, traditions that achieve constructive and fruitful cooperation in the relationship between the legislative and executive authorities within the framework of the separation of powers as prescribed by the Constitution. You have exercised</i></p>	<p>The situation that people experiencing and reading in daily newspapers tell different story.</p> <p>The government is not being transparency with legislative branch, people, and the press.</p> <p>The King should put more pressure on his government to cooperate better with these people for the benefit of the liberalisation programme.</p>

	<p><i>your full right through available constitutional means. The Government has also been keen to provide the necessary data and to respond positively to many motions. All that had a clear effect in supporting the democratic march and safeguarding citizens' interests."</i></p>	
<p>16 Dec. 2005</p>	<p><i>"On this historic day, each Bahraini citizen is eligible to be proud of the achievements of the comprehensive development process, and all fields of life. He should also participate in facing the challenges, and fulfilling the aspirations of the homeland and nation of further advancement, prosperity, and brighter future."</i></p> <p><i>"The leading experience Bahrain witnessed under the modernisation and reform process that began with the adoption of the National Charter, and the popular referendum, and which received the admiration of all and the appreciation of the civilised international community, represent a continuation of the</i></p>	<p>Citizens are proud and patient yet. But if the process continue as it is then the situation will be very critical. Unemployment rate is increasing, poverty too, and most of the development projects do not include people with limited income.</p> <p>When the National Audit Court established and reports directly to the King and does not review income or expenditures of the Royal Court, the people slightly become disappointed. Again, the Administrative Monitoring Bureau, which should have been established at the earlier stages, is not very encouraging to citizens.</p>

<p><i>national action programme which we started together, and the steps that we decided to adopt to develop the administrative performance in the government sector, through ordering the establishment of the <b>Administrative Monitoring Bureau</b> as called for in the National Action Charter, which would insure further efficiency, production, and transparency in one of the oldest and most deep-rooted government administration, that has made many achievements despite its limited resources, a matter which deserves our appreciation to the former government staff, who contribute to setting-up the government organisation.”</i></p>	<p>The Bureau is reporting to the King too. However, there is a hot debate taking place in the Chamber of Deputies to make it directly reporting to the elected Council. On the other hand, the government is fighting aggressively to make the Bureau reporting to it.<sup>71</sup> The situation has not been solved until the writing of the research.</p>
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*“The fact is that I relied above all on Almighty God, and then on my confidence in the awareness, civilised attitude and political maturity of the people of Bahrain. I personally made a decision that entailed a historic responsibility by holding a free referendum in order to release the country from a bottleneck. It was an unprecedented referendum in our political history and the hesitation and*

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<sup>71</sup> Al Wasat, “Tranferring the Administrative Monitoring Bureau to the Council of Ministers,” Saturday, 11 March 2006.

*apprehension towards it persisted until the last moments.*"<sup>72</sup> The King did start new path for the Kingdom, trusting his people that they will stand up to the challenge. He is risking every thing his family built since 1783. From all the above speeches, the King has brought about most of vital issues that could initially steer the country to a better future. He urged new legislation to match recent developments and amendments to many existing laws, which hinder advancement and investments. Urging a speedy and comprehensive revamp of the entire legal structure, discrimination against women must be addressed urgently. Action on private sector and jobs reform by the Crown Prince was also highlighted especially his mission to prepare 'young leaders of the future.' He also lunched a series of talks on national awareness, as the progress of the reform plan requires a national awareness that guides its march. King Hamad also pledged oil revenue windfall to improve citizens' standard of living.<sup>73</sup> While acknowledging the positive contribution of expatriates, he said their presence should not be detrimental to citizens, the economy, or social values.<sup>74</sup> In many other occasions, the King has promised a new and efficient housing policy to cater to people's needs. In 16 December 1999, in his speech in the occasion of the National Day, the King point out that he is planning with the government to grant every Bahraini family a land and all the facilities to build a home for them. In 2006, again he brought the same issue by saying: "*Housing costs have to be reasonable and not exceed citizens' budget. . . Currently, the waiting period for houses is very long and costs exorbitant which means that our housing policies have to be reconsidered,*" and added "*My aim is to allocate each citizen a free plot of land on which he can build his house and feel secure about his future,*" the King told editors-in-chief during an audience at *Safriya* Palace.<sup>75</sup>

However, the processes of implementation, which considered also as crucial challenge to the King, are very slow and suspicious. It looks that there are many

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<sup>72</sup> King Hamad Al Khalifa, "*Talks on National Awareness: First Talk,*" All Bahrain's Official Newspapers, Wednesday 9 February 2005.

<sup>73</sup> King Hamad Al Khalifa, "*Bridges to a bright and vibrant Bahrain,*" All Bahrain Newspapers, Saturday, 4 February 2006.

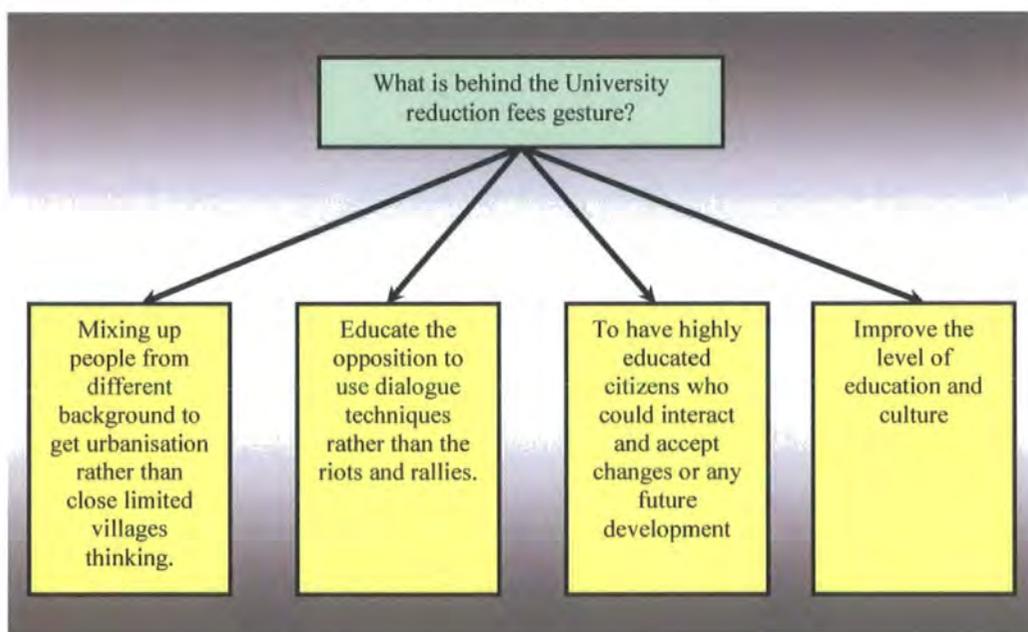
<sup>74</sup> Ibid.

<sup>75</sup> Ibid.

parties in the country who find such reform does not serve their benefits and could at the end of the day hurt them and their beneficiaries. The opposition members note that the government created an institutional and legal framework in which neither the King nor his advisors are accountable.

Moreover, The King's gestures were made for wise reasons. In May 2001, for example, he ordered tuition fees at the University of Bahrain to be reduced by approximately 80%. Although he open up the future for citizens to get what they have always dreamed to do, but his wisdom behind this gesture was to insure the spread of education to all part of the Kingdom that make his reform more acceptable with open minded people than sectarian ones. See Figure 5.4 below. The government fails to construct the labour market to contain the higher number of graduate citizens. In general, the government is not following suit with all the honourable steps by the King and are not are considered.

*Figure 5.4: University Reduction Fees*



### 5.2.3 Conflict within the Ruling Family

The King is so patient with the government and does not want to retire it because he does not wish to form division in the Al Khalifa family, which will weaken their power and could end their ruling over the Islands. The King knows well what could happen to his family and the Kingdom, if he attempt to do so. Because, historically, there were several occasion where Al Khalifa went through disputes and even war between each other. After Al Khalifa inhabited Bahrain, they coped well with their changing pattern of life but one thing they did not manage to change was the constant bickering and disputes between the various factions within the ruling family, who allied themselves with one or another of their allied tribes, or foreign powers.<sup>76</sup> At the initiation of their ruling, the Al Khalifa adopted a system of dual form of ruling, where the father being assisted his lifetime by two of his sons, and on his death, the two sons continued with their duties and shared all authority. Sometimes the grandsons were also called upon to perform various functions of the ruler.<sup>77</sup> This system was used frequently in Bahrain until the accession of Amir Isa in 1869, starting from the death of Amir Ahmed *Al Fateh* in 1795.<sup>78</sup> (See Figure 1: The Ancestry of Al Khalifa) from chapter one. *Al Fateh* was succeeded by his two sons Amir Salman (1795-1821) and Amir Abdulla (1795-1842) who ruled Bahrain jointly. When Amir Salman died in 1821, Amir Abdulla the brother tried to establish himself as absolute ruler of Bahrain. This provoked a bloody conflict within the ruling family itself. The consequences of Amir Abdulla's attitude not only influenced the political situation in Bahrain, but also placed a great strain on the people and the economy.<sup>79</sup> Lorimer, quoting Captain Macleod, the British Resident in Bushire, reporting on his visit to Bahrain in 1823, indicated: "*The authority of the Sheikhs of Bahrain in their own dominions did not appear to be as absolute as might have been*

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<sup>76</sup> M. G. Rumaihi, "*Bahrain: Social and Political Change since the First World War*," Bowker Publishing Co., London 1976, p. 4.

<sup>77</sup> Ibid.

<sup>78</sup> Ahmed Mustafa Abu Hakima, "*History of Eastern Arabia 1750-1800*," Khayats, Beirut, 1965, p. 117.

<sup>79</sup> Rumaihi, p. 5.

*expected, and that it was born with much reluctance by the inhabitants of the islands.*"<sup>80</sup>

Referring to the state of the economy at that time (1836-1838), Lorimer remarks:

*The lot of the Sheikh's Abdulla subjects in Bahrain was growing, from day to day, less endurable, and the Islands were being rapidly depopulated by emigration. The towns were in a state of ruin and decay, and house rents had fallen to one-eighth of what they had been only a few years before . . . Six sons of the Sheikh pretended to exercise separate and independent power, and their attention was chiefly devoted to extracting money from merchants and other men of means"*<sup>81</sup>

The incident did not end by the deportation of Amir Abdulla in 1843, by his great nephew, Amir Mohammed bin Khalifa bin Salman, but the two branches of the Al Khalifa went through war in 1869. It made the British interfere and deport the two rivals, Amir Mohammed bin Abdulla and Amir Mohammed bin Khalifa, and put in office Amir Isa bin Ali who was only 21 years old (see Fig-1 / The Ancestry of Al Khalifa) from chapter one. Bahrain started losing its political independence and the people suffered.

These incidents and even the deportation from the homeland by the foreigner have left deep and painful marks since the childhood of King Hamad as he indicated in his Article "*Talks on National Awareness.*" He pointed out:

*Those included the bitter memories of how the foreigner presence had sought to diminish the factors that make the homeland's independence and constantly sought to 'deport' the senior leaders who had insisted on independence since the nineteenth century, and deported with them sincere patriots who were working for the country's independence, in*

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<sup>80</sup> J. G. Lorimer, "Gazetteer of the Persian Gulf", "Oman and Central Arabia", Superintendent of Government Printing, Calcutta, Historical Part, 1915, Part IB, 850, Reprinted and published in 1970 by Gregg International Publishers, London.

<sup>81</sup> Ibid, 858.

*collaboration with the legitimate regime in their homeland. . . That has instilled in us a string aversion to deportation measures.*<sup>82</sup>

Nevertheless, will the current government be able to cope with the progress of the reform or not and could the situation afford the patient of the King for the sake of not creating fraction in the ruling family while the other citizens undergo the consequences.

#### 5.2.4 Political Structure

Each country at its formative stages derives the methods of ruling according to the surrounding status. When Bahrain started its journey with the Al Khalifa dynasty there were external and internal threats that shaped the policies of this tribe. Persian Empire, Portuguese, Omanis, Wahhabis, Qataris, British, and many other Arab tribes were among the external threats. Where, the internal threat came from within the family itself, the Shia, some Sunnis, Ajam, and other Arab tribes that were not in agreement with them. From these sets and facts, the Al Khalifa shaped the policy of the country in regard of its foreign policies and internal affairs. It also decided the level of power and security that the state should have to maintain its survival. Colonialism whether for the purpose of extending the empires' territories such as the Russian Tsars or for commerce and strengthen the empires' imperial interest in a region have all affected the natural development of the colonise countries. Signing many protections and controlling treaties with the British Empire has affect Bahrain independent thinking and advancement. These treaties made the ruler of Bahrain always depend on powerful countries to think and plan their future. Beside the advantages of the British colonisation to Bahrain in areas such as education, laws, structural development, labour union, etc., it taught Bahrain government the doctrine of the use of force for the reign to survive. For example, British colonisation had constantly used the concept of "deportation" of people that considered, from their point of view, as threat to their existing. This illness has inherited by Bahrain's ruler

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<sup>82</sup> King Hamad Al Khalifa, "Talks on National Awareness: Second Talk," All Bahrain's Official Newspapers, Saturday 30 April 2005.

and deported sincere patriots who were working for the country's development and human rights. The mentality of security law and the fear of citizens have formed the Bahraini personality. In fact, country's policy is the main factor on shaping the citizens' state of minds. So if, for example, a country decided to be a commercial state and be very open to the outside world, then its people become very commercially thinkers and extremely open minded. But, Bahrain has to some extent been very restricted on security. The government has always treated all outbreaks by; relying on threats, power, and repression by the Armed forces to keep full control of the situation while waiting for the opposition to lose its steam. Consequently, these techniques widened the gape between the ruling family and several groups of the society, which can be experience nowadays as a result.

This strategy has caused the problem of social stratification, which is far more rigid in Bahrain than anywhere else in the Gulf. The ruling family and its tribal allies can be described almost as a caste: one has to be born into it. This level holds a monopoly of political power and demonstrates an increasing presence as economic elite. In doing that, the system has formed also the long cycle of mistrust between the ruling family and the people and between various sectors of the population, mistrust which has turned to opposition and which, in turn, has turned to violence.

Accordingly, the King is challenged with the ability to raise the fears of his citizens and try to build up positive new generation capable of developing the country.

#### 5.2.5 The Pearl Industry

Another historical trend that become as a challenge factor to the reform is the pearl fisheries. As the industry was the main source of income for the people of Bahrain for several years, it has caused many social problems then and nowadays. The workers who were involved such as the divers, the divers' pullers, and others suffered poverty and fatigue because of the method by which the expeditions were financed. Although they do the hardest work, their wages was very little. These people are given three kinds of loans while they are in the business. First loan was

given by the start of the season to support their families while they were away. Second payment were given after they return from the sea, and the third was given in the winter when there was no pearl fisheries in anticipation of his diving for the same captain the following year.<sup>83</sup> It was very rare that a diver or a puller could get ride of these debts to the captain. These loans carried forward year after year with interest charge until each workers own all his live to the captain. Moreover, when the general reforms in the administration were started in 1923 in Bahrain, even death was not enough for the divers and other workers, as their debts were then inherited by his sons or brothers, who were forced to enter the pearl industry themselves unless they had money or property to clear the debts with. Some of the more inhuman of the captains would insist on marrying the widow of the employee as payment for the debts and, in doing so, obtained for themselves the employee's children to act as servants in his house and later, to be trained as divers themselves.<sup>84</sup>

The position of these employees was summaries by Harrison who wrote in 1924:

*The diver is known as a slave for the rest of his life. It is probably easier for a Negro slave on the Pirate Coast to escape, than it is for a Bahraini diver to regain his freedom. As long as he is in debt he cannot change his employer, no matter how badly he is treated, nor can he leave the town, except under bonds to return before the diving season begins and he will never be able to get out of debt, he cannot read or write, there is no witness to the transactions that take place between the captain and himself. It is the recognised thing for the divers to receive a loan of rice . . . The sum written into the books is regularly about 50% greater than the market value of the rice. If necessary entirely are required, false entries are written in. The upshot of the matter is that their men never get out of debt, not one in a thousand of them. In seven years residence*

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<sup>83</sup> Fuad I. Khuri, *Tribe and State in Bahrain: The Transformation of Social and Political Authority in an Arab State*, the University of Chicago, U.S.A., 1980.

<sup>84</sup> M. G. Rumaihi, *Bahrain: Social and Political Change since the First World War*, Bowker Publishing Co., London 1976.

*in Bahrain, I have never yet met a diver who had escaped from the account book, as the Arab put it.*<sup>85</sup>

Captains also fall into debts as they forced to obtain finance from merchants to equipped and provision their boats and to pay the advanced money to their employees. This in a way caused a huge cape between rich and poor in the society of Bahrain that continue to exist in the 21<sup>st</sup> century.<sup>86</sup>

The majority of the Bahraini citizens, since that period, did not think of their future and try to live their time even with all the debts. They resisted all initiative of the British Political Agents to restructure the rule of this industry where they often made mention in their reports of the harsh conditions suffered by the men in the pearl trade. Strangely, the divers and pullers themselves were among the main opponents of the reform introduced in 1924 by Major C. Daly, the political agent (1921-1926), which could ease the workers stress and debts. The principal features of these laws were as follows:<sup>87</sup>

- All hereditary debts were abolished. When a diver died, his debts died with him.
- The amount advanced to a diver, and the rate of interest was strictly controlled and no other charges were to be debited against the diver.
- Merchants and captains were compelled to keep regular accounts which were scrutinised by number of diving clerks appointed by the Bahrain Government.
- The divers were given the right to seek other jobs on condition that they repaid part of their debt each year. They could no longer be forced to provide unpaid labour for their captains after the end of the pearling season.

The divers and pullers main objection were the restriction of the advances payable. They presumably preferred to have the cash to spend and to worry about repaying it

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<sup>85</sup> P. W. Harrison, "*Economical and Social Conditions in East Arabia*," *The Moslem World*, Crowell, New York, vol. XIV, April 1924.

<sup>86</sup> M. G. Rumihi, 1976.

<sup>87</sup> *The Bahrain Government Annual Reports 1924 – 1956*, Volume 1, p. 93.

later. This way of thinking genetically moved from one generation to the other, so that you may experience it these days with the same concept. Nowadays, people in Bahrain drug themselves on massive loans and debts, some for their basic needs, and others for luxury and maintain respect. See Table 5.2 earlier in this chapter.

In general, the pearl fisheries, beside there advantages to some, it has widen the gab between poor and reach and increase the number of poor people in Bahrain. The phenomenon consequences are showing up in Bahrain today, as poverty rate increasing.

#### 5.2.6 The Opposition

The King is challenged with three kinds of oppositions that could hold his reform from advancing:

- Shia opposition who believe that Bahrain belong to them and should be return to them.
- Shia and Sunni opposition whom are frustrated from social and economic worries such as unemployment, poverty, high cost of living, and inequality.
- Shia and Sunni who resist the reforms because it stand against their power and benefits that they us to have before King Hamad reign.

The King is faced with the unpredictable Shia opposition who are living in Bahrain but are loyal, led and steered by power from abroad to take over the country.<sup>88</sup> In many Shia religious ceremonies especially *Ashura* commemoration, several individuals carry out posters, flags, and pictures of foreign leaders (*Khamini*, *Khoemini*, from Iran and *Hassan Naser Alla* from Lebanon), not related to the occasion that make Bahrain government concerned about their loyalties to the Kingdom.<sup>89</sup> See Picture 5.2 below.<sup>90</sup> However, one of the Shia interviewee indicated that such action does not mean there is a dual loyalty. A person may

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<sup>88</sup> In some Shia's villages, you can see many posters in the walls of foreign leaders such as *Ayatollah Al Khoemeini* and many other leaders from Iran or Iraq.

<sup>89</sup> *AlHayat* Newspaper, 26 February 2005.

<sup>90</sup> These foreign leaders pictures are commonly hanged on wall in some Shia villages.

become loyal to a case, a sect, or an ethnic but his loyalty always be for his sole country.<sup>91</sup> On the other hand, the president of the Islamic National Accord Association (*Al Wefaq*) Sheikh Ali Salman, indicated that:

*We are proposing gradual change, which we hope will eventually lead to the development of the political system . . . I am not calling for a Shia state in Bahrain. I am calling for an Arab Islamic state.*<sup>92</sup>

**Picture 5.2: Some Foreign leaders' pictures taken in a Shia village in Bahrain**



On the other hand, the King is confronted with Sunni and Shia whom are frustrated from social and economic worries such as unemployment, poverty, high cost of living, and inequality. Before the political liberalisation programme of King Hamad, most of Bahrain population shared certain expressed goals of the opposition, including:<sup>93</sup>

- End discriminatory practices against the Shia and Sunni (different from the royal family and its allies).
- Restoration of the parliament that was dissolved in 1975.

<sup>91</sup> An interview made in 15 April 2006 with *Dr Nada Abdulla Al Wady*, a journalist in *Al Wasat* Newspaper. The interview was intended to be with *Dr Mansoor Al Jamri*, Responsible Editor of *Al Wasat* Newspaper who apologised and recommend her to take his place for the interview.

<sup>92</sup> Ali Salman, Interview in *Al-Mushahid Al-Siyasi*, London, reprinted in *Middle East Mirror*, London, 14 October 1997.

<sup>93</sup> For an excellent report regarding recommendations to the government of Bahrain, the opposition, and even the US government, see the Crisis Group's report, "*Bahrain's Sectarian Challenge*", Middle East Report No. 40, 6 May 2005, p. i-ii.

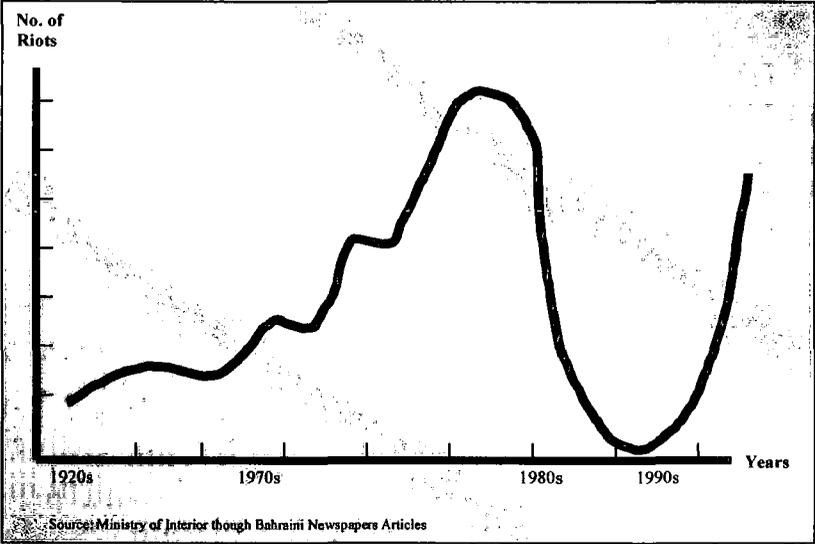
- Ceasing manipulation of Bahrain's demographic makeup through political naturalisation of foreigners to increase loyal voters.
- Recruiting Shia into the Armed Forces.
- Bahrain government gave citizenship (and the right to vote) to many tribal members in order to counterbalance the opposition.
- Ending informal and formal practices that prohibit Shia and Ajam from living in predominantly the royal and Arab tribes' areas.
- Ensuring that appointments to high government office are based on merit and appointing persons who are not members of the Al Khalifa family to key ministerial positions.
- Enforcing transparency in government financial dealing.
- Ending political motivated arrests and freeing political prisoners.
- Freedom of expression.
- Freedom of all kind of media.
- Permitting the formation of political parties and halting harassment and surveillance of non-violent opposition activities.
- Stopping the expansion of unemployment opportunities for Bahrainis.
- Rehired all those removed from government jobs for political dissent.
- An end to corruption in the government.

Through the years, some of the Sunni and the Shia people went through lots of trouble with the government of Bahrain as they were led to believe that it is only through confrontation that political and social grievances will be heard. Discrimination, unemployment, poverty, democracy, and many other issues was the centre of the conflict with the government. Traditionally, all demonstrations by the Shia, and to some extent, the Sunni for the feeling of increasingly politically marginalised and socially disadvantaged were faced with brutal and aggressive reaction by the security to maintain order. Thousands of demonstrators were arrested and tortured, and opposition leaders were exiled. The opposition has learned from that experience and started educating themselves, internally and externally, as opposition and become more professional in how to deal with such

situation and winning international support. Where, on the other hand, the government stayed on the only way they mastered; the use of force. With the new reform, the government is faced now with very talented and experts opposition leaders and the security are not able to use force and get confuse on handling demonstration and winning opposition and international human right organisations. Such situation is new to them and they have not been trained for it then and not even now.

The new King stopped most of these harsh treatments and brutal reaction by the government since he succeeded his father in 1999, but what went wrong? Why there are mounting demonstrations by opposition? See Figure 5.5 below.

*Figure 5.5: Estimated Numbers of Riots through the History of Bahrain*



The Shia oppositions repeatedly indicated that the political reforms were seen as a way to bolster the country’s standing internationally. Others think that the King was only reacting to the municipal elections that were held in March 1999 by Qatar. The King of Bahrain wanted to put Bahrain on equal footing with its centuries’ old rival, perhaps with an eye toward influencing the ruling of the International Court of

Justice on the two countries' dispute over Hawar Islands (which were awarded to Bahrain on 16 March 2001).<sup>94</sup>

Additionally, the London-based Bahraini opposition on a number of grounds criticised the National Charter:

- The change of the Amir's title to king appeared to codify the Al Khalifa family's position as Bahrain's ultimate authority.
- The lower assembly, though elected, would not have any law-making powers.
- The process of preparing the charter did not involve public consultation.
- It excluded longstanding opposition demands for the legalisation of political parties, labour unions, acceptance of Shia into sensitive government and security positions, the return of deported opposition leaders, and the release of all political prisoners.
- Economic justice and "Islamisation" of public life were not addressed.

King Hamad submitted the charter to a referendum and met many oppositions' demands that made them concurred the charter and urged the population to support the referendum. Despite its limitations, many Bahrainis supported the prospect of change as an alternative to the status quo.

After few years of the reform, the main matters that secure the future of all citizens has not changed. Most of the real reform measures that have been implemented are not democratic advances, per se, but human rights advances.<sup>95</sup> Accordingly, the opposition is growing day after day as the political, social, and economic situations worsens. People are complaining that, although the National Charter's pledge, as summarised earlier, is unsatisfactory vague, and did not specify, mainly, how the legislative body was to be constituted beyond the promise of the bicameral system, Bahraini people have given the King pledge of allegiance for his promises for better life to all citizens. For those promises, people of Bahrain voted by passions and

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<sup>94</sup> Nadeya Sayed, "*Political Reform in Bahrain: The Price of Stability*," p. 221,

<sup>95</sup> *Ibid*, p. 224.

perceptions overwhelmingly “Yes” to the NAC trusting that the King will secure people’s rights and assumed that after having fully elected National Assembly a quarter of century ago, Bahrain will have powerful appointed house. Where in reality, the government confirmed that the new appointed *Majlis al Shura* would be as a consultative council, but the amended constitution gave it equal power to the elected body and would hold 51% of combined votes (due to its president serving also as president of the overall body) moves that promptly provoked renewed objections from the opposition.

Another vital issue that bother the opposition in Bahrain is the decree of establishing the district boundaries for Bahrain’s parliamentary elections that took place in October 2002, and for the future ones. The opposition leaders complained that the single-member districts did not take into account the country’s “demographics.” They believe that the decree is to reduce the votes of the Shia. Some districts contain as many as 12,000 registered voters, while others have as few as 500. As Figures 5.6, 5.7, and 5.8 illustrate, Bahrain is split into five governorates (*Capital, Central, Muharraq, Northern, and Southern*), and divided into twelve municipalities (*Manama, Muharraq, Hidd, Riffa and Al Janubiyah, Madinat Isa, Madinat Hamad, Sitrah, Al Mintaqah Al Gharbiyah, Al Mintaqah Al Shamaliyah, Al Mintaqah Al Wusta, Jidd Haffs, and Juzur Hawar*).<sup>96</sup>

The voter turnout of more than 50 % cannot be taken as an indicator of approval for the manner in which reforms were managed, as citizens were pressured into going to the polls. A notation was stamped into the passports of voters, who were also issued a “certificate of good behavior,” something which led many to fear that participation in the boycott could have negative consequences. Moreover, those affiliated with the security forces, the National Guard and the military were ordered to participate in the voting.

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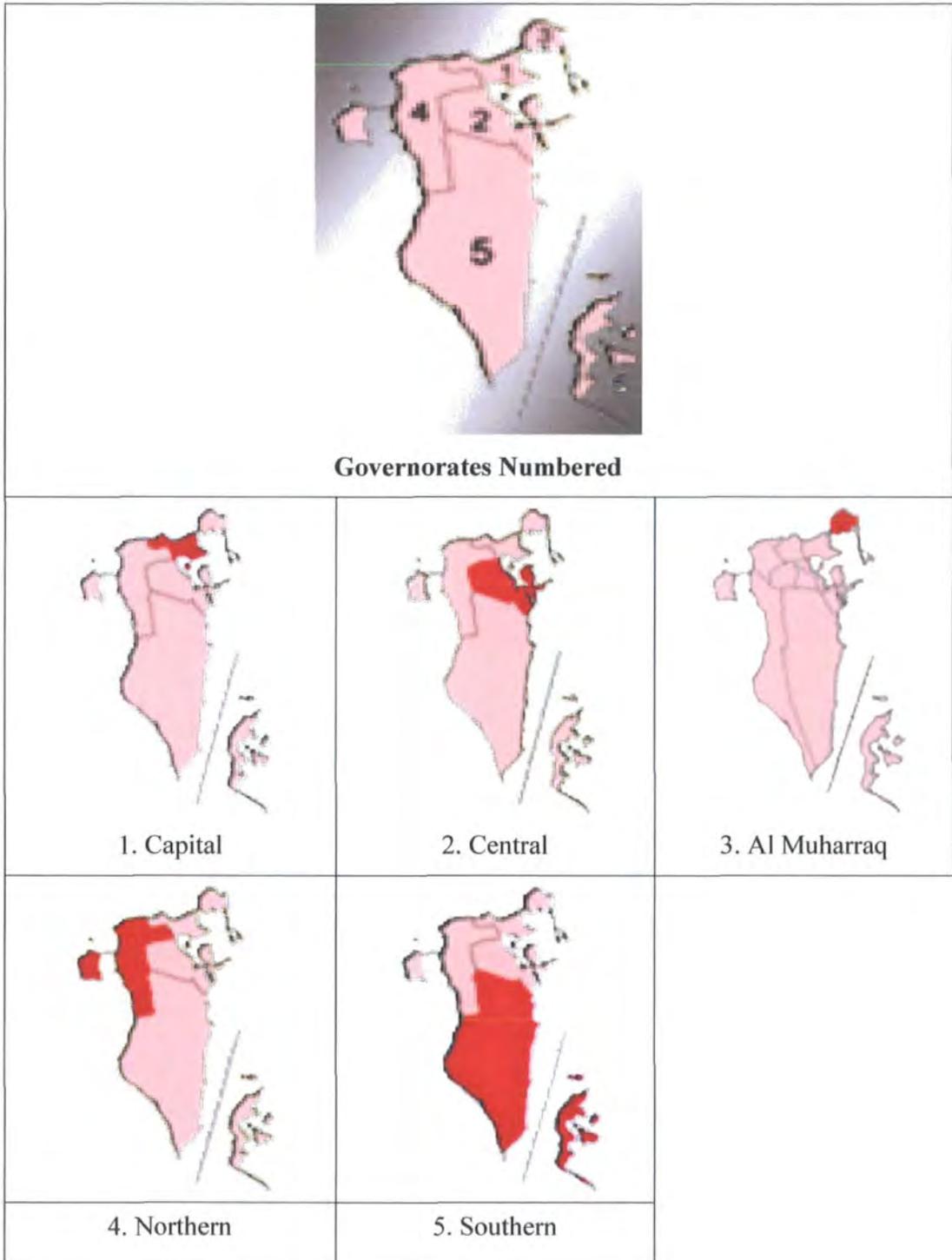
<sup>96</sup> Retrieved and edited from: [http://common.wikimedia.org/wiki/Image:Bahrain\\_governorates\\_numbered](http://common.wikimedia.org/wiki/Image:Bahrain_governorates_numbered).

Bahrain's existing institutions cannot yet be described as democratic. State institutions such as the administration and judiciary are, with the limitations on the rule of law already mentioned, stable. However, significant actors regard both the new national constitution and the Parliament as illegitimate. The major forces of opposition, which in Bahrain have traditionally consisted of left-wing and Shia groups, regard all legislation enacted since the last Parliament was dissolved as unconstitutional.

*Figure 5.6: Bahrain Governorates*

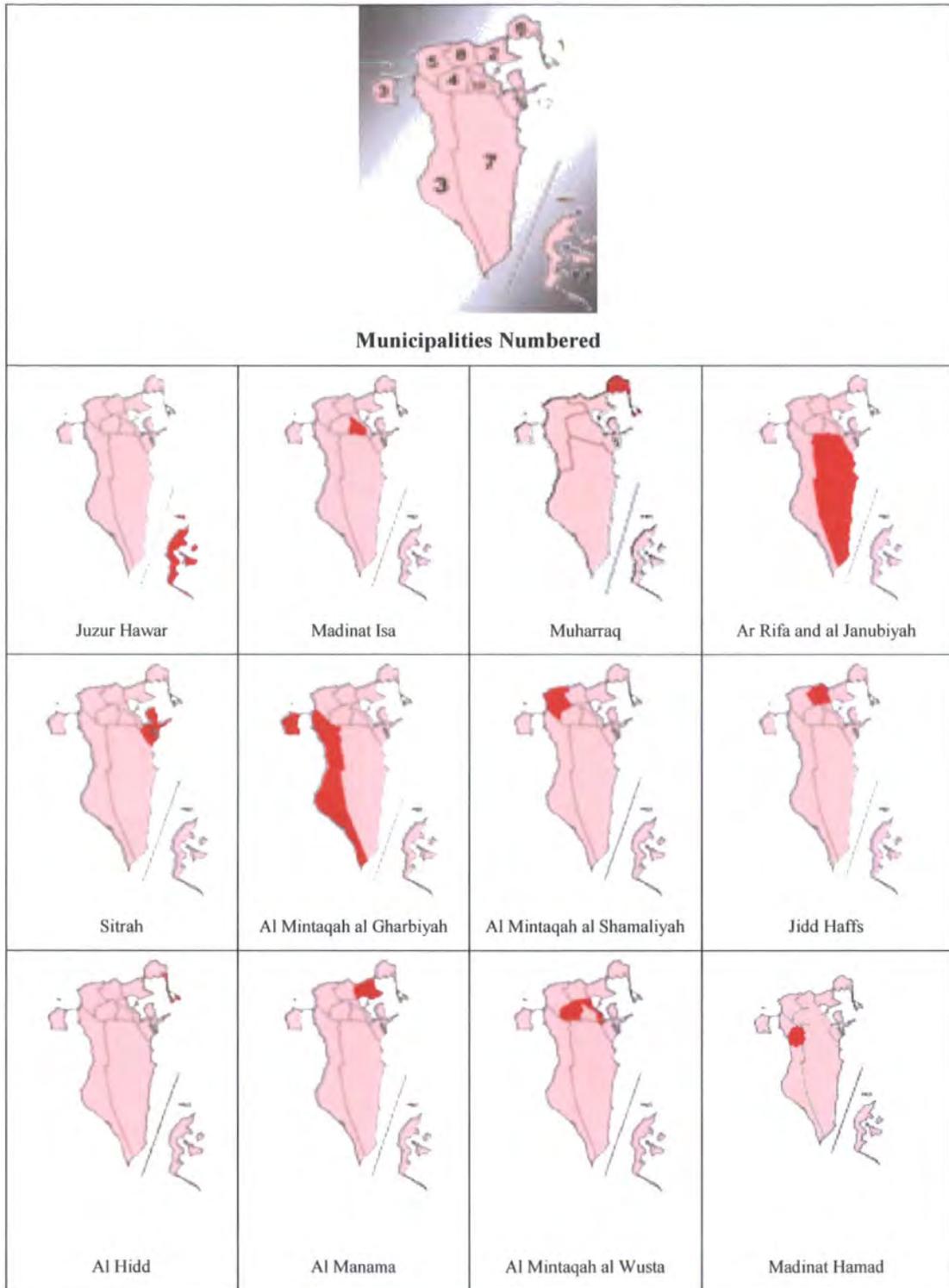


Figure 5.7: Governorates<sup>97</sup>



<sup>97</sup> Retrieved and edited from [http://commons.wikimedia.org/wiki/Maps\\_of\\_Bahrain](http://commons.wikimedia.org/wiki/Maps_of_Bahrain).

Figure 5.8: Municipalities<sup>98</sup>



<sup>98</sup> Retrieved from [http://commons.wikimedia.org/wiki/Maps\\_of\\_Bahrain](http://commons.wikimedia.org/wiki/Maps_of_Bahrain).

### 5.2.7 Parliament

King Hamad was very aware of the risk of having a parliament body in Bahrain from historical experience. Parliament is an arena of constant confrontation between the executive and the legislature and many other groups in the country. When one talks of reform under these circumstances, one invariably implies a redistribution of power or at least a reorganisation of how power is held and wielded. For this reason, efforts at reform usually come up against resistance from within and outside parliament. Parliamentarians who belong to the ruling majority may embrace reform when they are convinced that this reform will provide better guarantees for the future and enable them to be better heard and even to gain power if they should lose it. The opposition is generally more eager for reform in a bid to assert the parliament's authority in relation to the executive and to ensure that all voices are adequately taken into consideration.

Of course, one of the main areas of reform is to assert the parliament's independence vis-à-vis the executive and to ensure that parliament can exercise proper oversight over government. Government is therefore a major obstacle to reform. Usually, fear of the unknown leads to resistance to reform.

The challenges and important domains of parliamentary development are as follow:

- Among the most important basis of the effectiveness of the parliamentary institution is very effective when it offers citizens the experience in parliament's work.<sup>99</sup> This is why the principle of publishing and broadcasting the proceedings of parliamentary sessions should be applied, except when sensitive issues, such as national security, have been discussed.
- The legislative are not available to the public.
- Interaction, communication, and exchange of information between MPs, and the public, media, and civil society are weak.

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<sup>99</sup> Karim Sayed, *What to Reform? A platform for Parliamentary Reform*, Parliamentary Programme, Faculty of Economics & Political Science, Cairo University, ISBN, 2003, p. 24.

- A serious challenge faces the development of Bahrain parliamentary action and should be taken into account, is the delay in the development process itself. There are no priorities on issues rising. Issues such as unemployment, poverty, inequality, are not prioritised.
- The cost involve for the election process is mounting. This will affect the quality and effectiveness of the members.
- Minority's rights are not protected or raised in parliament. Ethnic or other type of minority seems to be permanently out of political influence, there is a great risk that its interests are neglected.

#### 5.2.8 Education

Usually the effects of education are measured by political, social, and economic development, the ability of citizens to influence the process of decision making, the level of foreign workers in the country verses the level of unemployment, and most importantly, if the education overcome sectarianism and tribalism in any region.

The second Arab Human Development Report (UNDP 2003) emphasised that:

*long term economic development in the Middle East would only be possible through the development of a knowledge based society – with a large pool of skilled knowledge based workers that would drive enterprise, innovation, productivity and knowledge based exports and tradable services.*

Along with other key factors, a cluster of growth, based business sectors, a supportive business environment, and an attractive physical and cultural environment, the quality and availability of human capital is therefore fundamental.<sup>100</sup>

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<sup>100</sup> United Nations Development Programme, "The Arab Human Development Report 2003," National Press, Amman, Jordan.

Within Bahrain, this means that the character and quality of educational provision will play a crucial role in shaping human capital resources whether this relates to kindergartens, schools, or universities, or to other post-formal training and continuing professional development activities, research centres, research commercialisation centres and other knowledge transfer activities.<sup>101</sup>

The government of Bahrain is not spending in the education sector or other social development ministries as it spends in the Armed forces. See Table 5.6 below.<sup>102</sup> The total amount spent on the armed forces for the year 2006 (Ministry of Defence, Interior, NG, and NSA) is totalled to BD320,034,000. The education budget is approximately half the budget of the Armed Forces.

*Table 5.6: Recurrent Expenditure by some Ministries for the Fiscal years 2005 & 2006*

Description	Budget - 2005	Budget - 2006
Ministry of Defence	176,700,000	181,700,000
Ministry of Interior	110,941,000	114,912,000
National Guard	10,511,000	11,422,000
National Security Agency	12,000,000	12,000,000
Ministry of Education	144,678,000	149,264,000
Ministry of Health	92,055,000	100,415,000
Ministry of Labour	3,769,000	3,808,000
Ministry of Social Development	9,271,000	9,350,000
Ministry of Information	9,071,000	8,922,000

In spite of all the huge efforts of the Bahraini government in the field of education, serious inconsistencies due to lack of planning still exist within the education policy. Like almost every other sector in Bahrain, no long-range developmental plans has yet been established, and if there are written planes, unfortunately, no one is working to achieve or implement them. As a consequence of this unorganised growth, several situations present themselves. Why has it not totally solve the problem of

<sup>101</sup> Skidmore Owings & Merrill, USA, "Development Requirements of the Kingdom of Bahrain: Bahrain National Planning Development Strategies," Bahrain, 2005.

<sup>102</sup> Press Report, "Bahrain Budget for the Fiscal years 2005 & 2006," Ministry of Finance, 20 June 2005.

foreign labour in Bahrain? Why has there not been any effective coordination between the educational system and the country's social and economic needs? Finally, has education actually contributed to the development of a Bahraini citizenry, that is, has education contributed to the Bahraini polity in general?

Educational planners in Bahrain have been occupied with the attempt to establish an equilibrium in which the school would act as an agent of political socialisation, primarily in the 5 to 19-year-old age group, and in which the school would simultaneously produce technicians in different skills to man the country's industrialising economy.<sup>103</sup> Most of developing countries view education as a *functional* rather than a *sociological* process. Like other developing countries in the immediate post independence years, the importunate question asked by Bahrain is how education can contribute to economic development.

The annual report that Bahrain submitted to the Conference of Arab Ministers of Education held in Yemen, 23-30 December 1972,<sup>104</sup> stated that the educational policy of the state was to campaign against illiteracy in order to aid the country in its development programmes and to improve the quality of education in the country. The report identified the following steps that could achieve those goals:

- Continuation of the system of mass education.
- Provision of in-service training for teachers and other efforts to upgrade their qualifications.
- Constant revision of school curriculum.
- Improvement of the Ministry of Education's administrative system.
- Diversification of the curriculum, especially on the high school level, to create a system of vocational training, which would be able to meet the country's manpower needs in economic and social field.
- Improvement of the physical facilities of the schools.

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<sup>103</sup> Emile A. Nakhleh, "*Bahrain: Political Development in a Modernizing Society*", Lexington Books, London, 1976, p. 14.

<sup>104</sup> Ministry of Education, State of Bahrain, "*Al Ta'lim fi Al Bahrain: Waqi'uhu wa Mustaqbaluhu*" (Education in Bahrain: Its Present and Future), 1972, p. 3.

Because of many political forces, most of these goals have not been achieved, especially the one concerning the diversifying of the curriculum to meet the country's manpower needs. Moreover, the goals are lack of citizenship programme that bring about the sense of loyalty, belonging and patriotism. Again, the new reform also revealed Bahrain's 80-year old educational tradition was not teaching the right curriculum to meet the present political participation. It has confirmed the lack of the long-term plans. One could argue that who would expect any ruler to come out with such a liberalisation programme in this country. But, in general, any healthy developed education system may well provide highly opened minded citizen that require slight fine-tuning to cope with any situation.

In 1970s, the level of illiteracy particularly in the rural areas has negative effect over the development of participatory government. The government of Bahrain initiate the Constitutional Assembly in 1972, to bring about some degree of popular participation in the government process. In 1976, Emile A. Nakhleh, in her book "*Bahrain: Political Development in a Modernising Society*," was absolutely right when she indicated that the election to the 1972 Assembly that revealed Bahrain's 50-year old educational tradition was not as widely spread as had been believed.<sup>105</sup> In fact, the level of illiteracy in rural areas negatively influenced the country's first national election in that rural representatives in the Constitutional Assembly were generally under qualified for serving in such a body. Moreover, the effects of education did not enhance the ability of citizens to influence the process of decision-making, and did not overcome the historical sectarianism and tribalism in the Kingdom. The same problem arises through the new reform different election, where people voted without realistic reasons.

Most of the people in Bahrain are nowadays complaining about several issues like the authority given to the King to overrule the court verdict. Where, these authorities were given in the drafted National Action Charter (NAC) that most of these people voted in fever in 2001 with 98.4%. The case of education in Bahrain is

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<sup>105</sup> Emile A. Nakhleh, p. 66.

very interesting. The illiteracy rate among Bahrainis registered a significant drop during the last ten years between the 1991 and the last census of population in Bahrain that took place in 2001. The illiteracy rate was only 7.5% for males, 17% for females, and 12.3% for both sexes.<sup>106</sup> Correspondingly, illiteracy rate in 1991 was 13.3% for males, 28.7% for females, and 21% for both sexes.<sup>107</sup> The 2001 census reported a total of 121,918 Bahrainis who finished at least secondary education (53.0% of Bahraini population ages 18 years and above), of whom 61,794 (53.7%) were males and 60,124 (52.2%) were females. The number of Bahrainis who finished at least university education almost doubled. In 2001, there were 24,760 (12.5% of the 22 years old and above) persons, of whom 13,012 (13.2%) were males and 11,748 (11.8%) were females.<sup>108</sup> Bahrain is a nation of young people, which places the education system under a tremendous strain in trying to serve the large numbers of children who are of school age and those who graduate and will join the labour forces, see (Table 5.7 and 5.8) below. Moreover, the annual population increase is 2.7%, which mean more responsibilities and commitment are required.

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<sup>106</sup> *The 2001 census of population by the Bahrain Government.*

<sup>107</sup> *Ibid.*

<sup>108</sup> *Ibid.*

Table 5.7: Population by Age Groups, According to Nationality and Sex -2001

Age Groups	Nationality / Sex								
	Bahraini			Non-Bahraini			Total		
	Male	Female	Both Sexes	Male	Female	Both Sexes	Male	Female	Both Sexes
0-4	24705	23616	48321	6249	5815	12064	30954	29431	60385
5-9	25666	25059	50725	5802	5623	11425	31468	30682	62150
10-14	25281	23879	49160	5033	4641	9674	30314	28520	58834
15-19	22729	21511	44240	3603	3152	6755	26332	24663	50995
20-24	19681	18677	38358	12482	7835	20317	32163	26512	58675
25-29	15303	14957	30260	27526	11589	39115	42829	26546	69375
30-34	13942	14635	28577	30823	12889	43712	44765	27524	72289
35-39	14039	15298	29337	25882	10196	36078	39921	25494	65415
40-44	11816	12936	24752	23619	6887	30506	35435	19823	55258
45-49	9489	8893	18382	15522	3873	19395	25011	12766	37777
50-54	6573	5468	12041	7521	1769	9290	14094	7237	21331
55-59	4198	4358	8556	2939	761	3700	7137	5119	12256
60-64	3822	4172	7994	1115	392	1507	4937	4564	9501
65-69	2705	3027	5732	448	221	669	3153	3248	6401
70-74	2220	2259	4479	276	124	400	2496	2383	4879
75-79	1294	1214	2508	83	73	156	1377	1287	2664
80-84	737	640	1377	58	41	99	795	681	1476
85-89	272	277	549	30	19	49	302	296	598
90 & Over	151	168	319	15	11	26	166	179	345
<b>Total</b>	<b>204623</b>	<b>201044</b>	<b>405667</b>	<b>169026</b>	<b>75911</b>	<b>244937</b>	<b>373649</b>	<b>276955</b>	<b>650604</b>

\* Sources: The 2001 census of population by the Bahrain Government

Table 5.8: Percentage Distribution of Population by Age Groups, According to Nationality and Sex-2001

Age Groups	Nationality / Sex								
	Bahraini			Non-Bahraini			Total		
	Male	Female	Both Sexes	Male	Female	Both Sexes	Male	Female	Both Sexes
0-4	12.07	11.75	11.91	3.70	7.66	4.93	8.28	10.63	9.28
5-9	12.54	12.46	12.50	3.43	7.41	4.66	8.42	11.08	9.55
10-14	12.35	11.88	12.12	2.98	6.11	3.95	8.11	10.30	9.04
15-19	11.11	10.70	10.91	2.13	4.15	2.76	7.05	8.91	7.84
20-24	9.62	9.29	9.46	7.38	10.32	8.29	8.61	9.57	9.02
25-29	7.48	7.44	7.46	16.29	15.27	15.97	11.46	9.58	10.66
30-34	6.81	7.28	7.04	18.24	16.98	17.85	11.98	9.94	11.11
35-39	6.86	7.61	7.23	15.31	13.43	14.73	10.68	9.21	10.05
40-44	5.77	6.43	6.10	13.97	9.07	12.45	9.48	7.16	8.49
45-49	4.64	4.42	4.53	9.18	5.10	7.92	6.69	4.61	5.81
50-54	3.21	2.72	2.97	4.45	2.33	3.79	3.77	2.61	3.28
55-59	2.05	2.17	2.11	1.74	1.00	1.51	1.91	1.85	1.88
60-64	1.87	2.08	1.97	0.66	0.52	0.62	1.32	1.65	1.46
65-69	1.32	1.51	1.41	0.27	0.29	0.27	0.84	1.17	0.98
70-74	1.08	1.12	1.10	0.16	0.16	0.16	0.67	0.86	0.75
75-79	0.63	0.60	0.62	0.05	0.10	0.06	0.37	0.46	0.41
80-84	0.36	0.32	0.34	0.03	0.05	0.04	0.21	0.25	0.23
85-89	0.13	0.14	0.14	0.02	0.03	0.02	0.08	0.11	0.09
90 & Over	0.07	0.08	0.08	0.01	0.01	0.01	0.04	0.06	0.05
<b>Total</b>	<b>100.00</b>	<b>100.00</b>	<b>100.00</b>	<b>100.00</b>	<b>100.00</b>	<b>100.00</b>	<b>100.00</b>	<b>100.00</b>	<b>100.00</b>

Figures may not add to totals due to rounding

\* Sources: The 2001 census of population by the Bahrain Government

However, the increasing number of unemployed citizens caused several problems to the government:

- The government is not employing the right person for the right position.
- There are no motivations for employees to be promoted for higher position, as the Executive Branch usually appoints them.
- Training is considered as a motivation factor and not to increase productivities.
- Education has been politicalise between the two main sect of the Bahraini societies.
- Schools and the system of education are not acting as inculcators of particularistic values, especially in the area of citizenship.

At the present time, the labour market is not capable of taking all graduated students which made the unemployment level increase year after year. Just recently the Bahrain officials acknowledged this problem, but unfortunately the facts of increasing population, political citizenship, limited resources, the lack of high-level guidance on the type of college specialisation that prospective Bahraini students should enter, and the lack of coordination between education and manpower requirements are real disabilities and must be faced by short and long-term solutions.

Many representative bodies for foreign universities for graduate and postgraduate studies opened in Bahrain without strict control from the Ministry of Education. The participation rates for entry into Higher Education are relatively high. There are two public universities and up to 14 private universities.<sup>109</sup> Most of these universities are purely trying to make money out of the students without taking into consideration any ethical principles. In addition, shortcuts such as cheating and grade haggling may be attempted, because it is the receipt of the degree and not the method used in obtaining it that seems most important. This kind of education will generate high percentage of defected educated individual that the country may depend on them for the development of its future. On the other hand, will increase the current Bahraini

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<sup>109</sup> Skidmore Owings & Merrill, USA, “*Development Requirements of the Kingdom of Bahrain: Bahrain National Planning Development Strategies*,” Bahrain, 2005.

workforce, which required the labour market to provide three times more jobs than it did in the past decade and jobs that meet these graduates' skill too. The issue of strategic links with other international universities and where the Bahrain university system has a strategic international competitive advantage (to attract international students, staff, and research) is important but has not been explored within the scope of this assignment. Whether the curricula, the student experience, and the graduate output best serves the needs of the Bahrain economy is less clear. Initial impressions are that course alignment may be poor and that an analysis of the courses portfolio would be beneficial.<sup>110</sup>

Education in Bahrain has also created divisions in the Bahraini society. Many of the Bahraini who continued their studies in commonest countries became communism or leftists, others who went to Egypt and Lebanon became nationalism. Others became capitalism, Bathisim and so on. These different thoughts have created clash of civilisation in the citizenship development.

#### 5.2.9 Knowledge and learning Orientation

The academic difficulties encountered by Arab students in general and Bahrain in particular, emerges mostly out of an orientation to knowledge and learning that has very different roots from the Western approach.<sup>111</sup> In Islam, knowledge is giving by Allah (God), and the teaching methods used in religious school have adopted by secular schools as well. Knowledge is not generally regarded as a product of human reason and thus subject to expansion and interpretation; rather it is a gift one captures and with which one is "adorned." Cause and effect relationships are not stressed. Memorisation and imitation are primary learning methods. As this method of teaching spread to political, social and economic relations as well as to metaphysical matters, the result is conformity, fatalism, and authoritarianism contrast with emphasis accorded individualism and self-determination in, say, UK

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<sup>110</sup> Ibid.

<sup>111</sup> For further information regarding the socio-cultural trends, see the excellent report by Anthony Pascal, Michael Kennedy and Steven Rosen; "*The Human Factor in Military Modernization*", The RAND Corporation, 1979.

society. Most of the governments in the Arab Muslim countries adopted these methods as it serves them in a way that citizens are not also allowed to criticise them or recommend political issues.<sup>112</sup>

Moreover, because memorisation is a literal technique, knowledge acquired in this way is difficult to transfer to new, unfamiliar situation as Bahrain experiencing now. In this approach to learning, powers of analysis and generalisation go undeveloped. The technique of memorisation limits flexibility and adaptability of learning. Individual creativity is not promoted.<sup>113</sup> The strong Bahraini students' sense of shame may also make them somewhat timid and unadventurous as students. Fear of being wrong, of losing face, will inhibit them from going beyond the conventional bounds of the subject under study. Outcome that are unfortunate are regarded as risks worth taking in the deliberate search for novel solutions. Originality and initiative are not highly regarded. Bahrain students' academic behaviour also reflects an emphasis on groups or collective accomplishment, as opposed to the Western norm, individual achievement. One of the consequences of this value system is the high reported incidence of cheating. To refuse to help a fellow citizen is thought dishonourable.<sup>114</sup>

Bahrain students also tend to be goal-oriented rather than process-oriented. The attainment of a Western university degree is considered a desirable objective, leading to improved social status and financial condition. However, the process of education that must be pursued to earn the degree is under emphasised. Thus, many students go, proud and confident, expecting to advance quickly to their goal once selected for foreign study. They often face a severe shock on discovering that a good deal of hard work must precede the end they seek. Again as mentioned earlier,

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<sup>112</sup> Waheed Al Qassim, "*Restructuring GCC Security Policy after the Gulf War: Problems and Priorities*," Master Degree Thesis, Naval Postgraduate School, Monterey, California, p. 49.

<sup>113</sup> Ibid.

<sup>114</sup> For more information regarding the socio-cultural trends, see the excellent report by Anthony Pascal, Michael Kennedy, and Steven Rosen, "*The Human Factor in Military Modernisation*," The RAND Corporation; 1979, p. 34.

cheating, buying certificates may be attempted, because it is the receipt of the degree and not the method used in obtaining it that seems most important.<sup>115</sup>

Government officials, observers, writers, and Bahraini citizens are constantly made a self-importance statement of educated Bahraini and they were the first in the region to be educated. Moreover, they bring out the level of illiteracy in Bahrain as something they should be proud off. In reality, the private sector in Bahrain has, to some extent; make full use of the educated personnel and that why we notice, to some extent, that they are well organised and well established. In contrary, the public sector are not benefiting from most of the educated personnel, where they are not placing the right educated person for the right job. Educated people are not a number that a country should be proud off if it is not using these forces for the development of the country.

In itself, the benefits of student involvement in community service are limited. It is wrong-headed to presume that students should gain such broad civic lessons in public responsibility, accountability, and toleration solely through working in community-based organisations. The organisation's narrowly tailored mission and constituency mitigate against the inculcation of such broad civil values.

#### 5.2.10 Technical and Science Facilities

In the absence of any planning or goal setting, universities have conducted most of the research, which often been poorly financed, with inadequate equipment, poor library or other documentation support, and murky priorities. The school attended by these students would have had much less in the way of labs and science equipment than the typical European, American, or Japanese high school.<sup>116</sup> Research activity within the universities appears low – although time constraints limited a more in-depth analysis of this issue. Links with business and knowledge exchange activities are given prominence at the University of Bahrain but again the

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<sup>115</sup> Anthony Pascal, Michael Kennedy and Steven Rosen; *"The Human Factor in Military Modernization"*, The RAND Corporation, 1979, p. 13.

<sup>116</sup> Ibid.

extent and sectoral focus of this was not explored for the same reasons, nor was the issue of spinouts, incubators, and science parks.<sup>117</sup>

The scientific and technological enterprise in Bahrain is affected by low financial rewards, poor chances for advancement, low social status, heavy administrative burdens, and isolation from world of science. Industry has played a minimal role in sponsoring R&D in the Kingdom. In government, industry, and the military, technically trained people quickly become managers and cease before long to be technical. The shortage of middle-level managers in developing economies accelerates the drain. The result is often a waste of much of the investment inherent in the training.

#### 5.2.11 Economic Reform

Economic challenges are more complex than most commentators would have us believe. Some specialists think that there are only two economic problems in Bahrain: jobs and housing. Ordinary people care about these issues. When a young father cannot find work or his family is living in a small one bedroom flat, he gets crank. Unemployment stands around 15%, if not higher.<sup>118</sup> With joblessness concentrated mainly in the youth, there are worries for the future. It is very common in Bahrain, unlike in other GCC countries, to find native working as car washers, porters, and even beggars. Such basic economic issues have huge political consequences. People want to see real improvements in their standard of living from economic reforms. The real test of any policy change is whether it can provide more good jobs, give families a livelihood, and allow them to live in peace with the fruits of their labour.<sup>119</sup>

The implications of the presence of foreigners for the nation country effectiveness may be quite complex. For example, foreign supervisor-trainers may have little incentive to ensure that their trainees-subordinates advance in skill level, because

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<sup>117</sup> Skidmore Owings & Merrill, USA, Bahrain, 2005.

<sup>118</sup> Ibid.

<sup>119</sup> Scott Waalkes, "*Reflections on Bahrain*," Malone College, January 16, 2005, [www.malone.edu](http://www.malone.edu).

sufficient advancement would mean that the foreigners are not longer needed. Further, host employees may use the presence of foreigners to avoid making decisions and taking responsibility for mistakes, thereby losing useful command and leadership experience.

Some 100,000 Bahrainis will enter the job market over the next decade, requiring the economy to provide three times more jobs than in the past 10 years, according to a report for the country's Economic Development Board by Mckinsey. Unemployment in Bahrain runs at around 16 per cent among the highest rates for Gulf states, all struggling to varying degree with a demographic wave set rolling during the 1970s oil boom.<sup>120</sup>

Most of the Shia people who are a block away from the glossy mall district or the huge villas still do not trust the government or see much in the way of results. Hence, the Crown Prince has been pushing the report by the Mckinsey consultancy that advocates labour market reform, economic reform, and education and training reforms all in the hope of creating jobs for young Bahrainis.<sup>121</sup>

In an interesting article by Dani Rodrick of Harvard University, suggested that countries need their own "home-grown business plans" for development. He argues that, instead of looking to global integration as a simple solution, countries should build on their own domestic strengths and tailor policies to fit their local economies. Rather than supporting painful reforms and sudden openings to the world for transitional economies, on other words is to builds from within.

During the 1970s, Bahrain did well as a financial centre for the Gulf region. However, political unrest in Bahrain during the 1980s and 1990s, along with the Iraq-Iran war and the rise of Dubai as competing financial centre, hurt the Bahraini economy. The economy is also constrained by competition from other countries in

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<sup>120</sup> William Wallis, "*Jobless Corner of Bahrain a Far Cry from Glossy Malls*," The Financial Time, November 25, 2004.

<sup>121</sup> *Akbar Al Khaleej* Newspaper, Money and Economy, Sunday 19 June 2005.

the area, notably Qatar, Oman, and Saudi Arabia, which are also looking for foreign investments and welcoming foreign banks and financial institutions into their countries. Bahrain needs political stability as a condition to attract and keep foreign investment.

Another challenge faces Bahrain's Market is the '*Free Visa Labour.*' The CP should end the "Free Visa" process. The government awards certain people the right to import foreign labour by the hundreds. Once the labourers are in Bahrain, they are allowed to seek jobs on their own. In return, the imported labourer pays his sponsor a monthly sum, normally around one hundred Bahraini Dinars, whether or not he works. This system allows sponsors to make huge profit at the expense of the foreign labourer in Bahrain.

The labour force is estimated at 350,000 (2003 estimate) and by occupation 79% are in commerce and services, 20% in government, 1% in agriculture. Around 44% of the workforce, aged 15-64 year old is non-national.<sup>122</sup> Last year 65,000 jobs were created and 53,500 (82%) went to non-nationals and 11,500 (18%) to Bahrainis (Ministry of Labour). This suggests that growth in the economy is increasingly dependant on the use of the non-Bahraini workforce and population.<sup>123</sup>

Finally, Bahrain government on one hand is indicating that it is short of budget to increase governmental salaries. On the other hand, it continues to give citizenship to many Arab countries, for political reasons, which increase their liabilities towards their original citizens.

#### 5.2.12 Islamic Movement

At a time when a collapse of values and ethics is often claimed, it suggests a new climate of emerging moralities and ethics. America believes that freedom is the

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<sup>122</sup> Skidmore Report, 2005.

<sup>123</sup> Ibid.

solution for all countries and Islamists believe that Islam is the solution in a region largely ruled by totalitarian regimes that reject religious extremism.

There is a wonderful passage quoted by Noble Prize novelist *Naguib Mahfouz* talking about a typical Muslim struggling with the paradoxes, generated daily by a long-term historical secularisation process, glimpsed by most only intermittently and through a glass darkly:<sup>124</sup>

*He leads a contemporary (i.e., "modern") life. He obeys civil and penal laws of Western origin, is involved in complex tangle of social and economic transactions, and is never certain to what extent these agree with or contradict his Islamic creed. Life carries him along in its current and forgets his misgivings for a time until one Friday he hears the Imam or reads the religious page in one of the papers, and the old misgivings come back with a certain fear. He realises that in this new society he has been afflicted with a split personality: half of him believes, prays, fasts, and makes the pilgrimage. The other half renders his values void in banks and courts and in the streets, even in the cinemas and theatres, perhaps even at home among his family before the television set.*

This exactly the life of an ordinary Bahraini. For a long time, the idea of secularisation has been under attack, because religion seems to be gaining influence in society. Yet the dualistic life that so many people experience does seem to have something to do with secular or alien norms that are now deeply rooted in daily life.

The solution would seem to be a vision that can bridge the religious world and these new worlds of Western-style institutions. Can globalisation or democracy be Islamic? Can Islam be democratic and globalise? The challenge is of bringing these two worlds together in an authentic way.<sup>125</sup> Islamic banking or Islamic finance is an example of making Islam to become globalise.

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<sup>124</sup> Scott Waalkes, "Reflections on Bahrain," Malone College, January 16, 2005, [www.malone.edu](http://www.malone.edu).

<sup>125</sup> Ibid.

Most of liberal group in Bahrain and maybe in all Muslim countries think that Islam Protectors (IPs) would bring them back to the Dark Ages. Liberal elite totally oppose Islamic principle and worried that it could harm Bahrain's economy and scare away possible investors. Unfortunately, they are out of touch with middle Bahraini, both Sunni and Shia, which is quite conservative and still takes religion seriously. Bahrain should find a common ground with the conservative element rather than just sit on a high horse and tell them that our way is the right way. IPs are worried that Bahrain will follow pace Western culture specially in the issue of sexuality right as the Western has gone to fare in their freedom, to the point where the family is being destroyed.

Muslim Brotherhood probably represents a majority in many Arab countries but they are banned from politics. Therefore, a dangerous gap between public expectation and the reality could emerge. Young people are depressed by problems like unemployment and poverty, so they are easily provoked by Islamists pursuing their political aims.<sup>126</sup> As pointed out earlier in Maslow's Hierarchy of Needs, safety needs sometimes motivate people to be religious. Religions comfort us with the promise of a safe secure place after we die and leave the insecurity of this world.<sup>127</sup> Maslow also placed religious inclination on the safety layer because he saw that tendency as an attempt to bring about an ordered universe with no nasty shocks.

### 5.2.13 Bahrain's Neighbours

To some extent, the King overcomes the pressure from Saudi Arabia against his reform. However, the sudden interest of Bahrain's rulers in reform does not indicate a genuine change of heart. Following similar ventures into controlled reform in other Gulf countries, most notably Kuwait, Qatar, and Oman, this interest reflects a growing realisation among the autocratic governments in the region that they are becoming increasingly anachronistic. It exposes the brittleness of dynastic regimes that stake their claims to legitimacy on formula combining repression with economic

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<sup>126</sup> Isa Mubarak, "Feature-Islamist fervour tests liberal Bahrain," Alert Net Organisation, 7 June 2005.

<sup>127</sup> *Religious application*: Keith Miller, *The Becomers*, Word, Waco, Tex., 1973, p. 89-109.

performance, in order to mask a vacuum resulting from the severance of virtually all associational links between the people and the government. The regimes problem is that whatever they are willing to concede (or can afford to concede) is almost bound to be too little, as well as to late.<sup>128</sup>

Qatar and UAE choose globalisation as a substitute to their lack of sovereignty. Therefore, they assert their existence through an ambitious programme of economical transformations based on a very liberal economic policy. The local technocrats who are emerging as the new generation of the business community are at the very heart of this policy. But this situation does not lead at all to the transformation of the political structures of Qatar and the UAE.<sup>129</sup> On the contrary, the successful economical choices of these countries reinforced the authority of their rulers. They are popular because they give their national populations a source of pride.

Bahrain citizens are comparing themselves with other GCC countries. Most of their citizens are proud and earning more than enough. The King has therefore, have to do something about the living standard of the Bahrainis to meet their needs, and become proud of the Kingdom.

#### 5.2.14 Society Segments

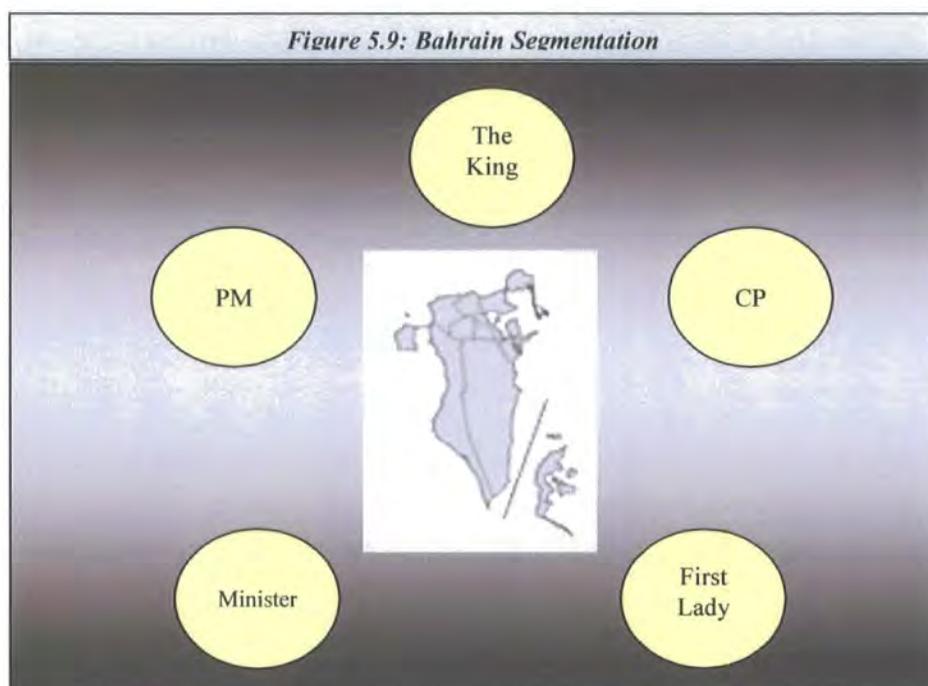
Even after the transformation to civil society, Bahrain society remained divided as indicated in chapter two to several groups or sects. It did not end up as Arab, Baharna, Hawala, and Ajam, but it includes foreign Sunni Syrians, Jordanians, Indians, Pakistanis, Yemenis, and many other who became citizens after the reform. Although these groups still did not come under one citizenship education and loyalty, they are not considered to be the dominant danger to the country. There are very

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<sup>128</sup> Abbas Murtada, "Cosmetic Reforms Unlikely to Change Realities of Despotism in Bahrain," Muslim Media, January 16-31, 2001, Bahrain.

<sup>129</sup> Fatiha Dazi-Héni, "A Typology of Transition in the Arabian Gulfian Monarchies," Colloquium, CERI, 10-11 January 2005, p. 3.

dangerous unintended segments arise in Bahrain society. The segments are illustrated in Figure 5.9 below.



The phenomenon of segmentation in Bahrain society came to surface as result of the poverty, way of selecting high posts, benefits, privileges, and protection. Most of the people in Bahrain as a way of securing their future work hard to become part of one of the segments shown in Figure 5.9. Enrolling in one of these segments mean most of your problems will be solved. Whether you are at high post or working as cleaner in one of these segments the power will be yours. Once you need something from any public work and you said the magic word that you are talking from for example the CP court or even from the minister office then you would have priority to you whatever business you are demanding.

This phenomenon is very dangerous and damaging Bahrain society, as they become something they do not want to if they are living in a healthier atmosphere. In Bahrain, the power of these people is frightening. For example, a director of a minister office can decide who meet the minister, what letter he should take for him,

and what kind of people the minister should meet. He will block any person that could bring to the minister's attention what are the problems they are facing or propose excellent ideas for work improvements. Because the Director does not want his minister to trust and delegate authorities, except to him. In some occasions, the directors of the minister office become more powerful than the minister himself. In general, once you are in one of the segments, you will get a house, a car, nice car registration number, nice house and mobile numbers, power, rapid services, and good allowances.

Moreover, these people working in these segments are putting all their efforts and capabilities to satisfy their bosses and never work for the benefits of the society in particular and the Kingdom in general. They are ready to make any thing to keep other people out of the circle. They do not want them to decrease their share of benefits. Their loyalty is for individuals and not the public or the country.

The segments hurt the strategic decision process in the country. Each segment makes and implements strategy in isolation of the other. They work, as they are independent states. An example of this situation is the citizenship. The King is granting few Arab countries citizenship for the purpose of political balance. The CP on the other hand is granting some African athletes Bahraini citizenship for making Bahrain well known internationally. The first lady grants Bahraini citizenship for the children from Bahraini mother and foreign father. These are all acceptable situations but the point is there were no joint strategic plan for granting citizenship between the segments. They never sat and decided a plan for such process and calculate the cost for each individual that granted Bahraini citizenship and let the government plan for agreed number of people to be granted Bahraini citizenship in the future budget. Therefore, the King should challenge this phenomenon and try to apply the law over all people starting his segment and moving to the other.

### 5.2.15 Unintended Consequences of Liberalisation

Each cultural form, once it is created, is gnawed at varying rates by the forces of life. As soon as one is fully developed, the next begins to form; after a struggle, long or short, it will eventually succeed its predecessor.<sup>130</sup> There are few countries in the world where there isn't intense discussion about sexual equality; the regulations of sexuality and the future of the family. The transformations affecting the personal and emotional spheres go far beyond the borders of any particular country.<sup>131</sup>

Over a string of candidates have arrived to try to fill this 'post socialist' space: 'life politics', the 'politics of difference', 'radical pluralism', 'dialogic democracy' and others. Although they differ in specifics, they do suggest certain common features which include a recognition that politics is about difference and ways of living life, about dialogues between different groups, about not bringing fixed closures or strong agendas, but keeping things open.

Some emerging arenas of public debate across the personal life such as homosexual, heterosexual, bisexual or multi-sexual, test-tube babies, lesbian and gay 'marriages and families', single parenting, safer sex, cyber-sex (and its linked cyber-stalking, cyber-rape, cyber-harassment, cyber-porn, and so on), sexual correctness, sexual violence of all kinds, transgender and bisexual politics, the appearance of 'hate crimes'—and many more— as examples of these critical new discourses are all arising in democratic countries.<sup>132</sup>

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<sup>130</sup> P. Lawrence, "*Sociologist and European*," London, Nelson, 1976.

<sup>131</sup> A. Giddens, "*Runaway World*," London, Pro. le Books, 1999.

<sup>132</sup> See B. Adam, J. W. Duyvendak, and A. Krouwel, "*The Global Emergence of Gay and Lesbian Politics*," Philadelphia, Temple University Press, 1998, D. Anderson, "*The Loss of Virtue: Moral Confusion and Social Disorder in Britain and America*", Social Affairs Unit: A National Review Book, 1992. Z. Bauman, "*Post-modern Ethics*," Cambridge, Polity, 1993. D. Bell and J. Binnie, "*The Sexual Citizen: Queer Political and Beyond*," Oxford, Polity, 2000. J. Dean, "*Solidarity of Strangers: Feminism after Identity Politics*," Berkeley, University of California Press, 1996. N. Ellison, "*Towards a new Social Politics: Citizenship and Reflexivity in late Modernity*," *Sociology*, 31, pp. 697-717, 1997. R. Parker, "*Beneath the Equator: Cultures of Desire, Male Homosexuality and Emerging Gay Communities in Brazil*," London, Routledge, 1999. A. Wolfe, "*Democracy Versus Sociology: Boundaries and their Consequences*," in M. Lamont and M. Fournier (Eds), *Cultivating Differences*, Chicago, University of Chicago Press, 1992.

Once these diverse publics are recognised, we enter public worlds that are far from homogeneous or agreed upon but which are deeply pluralised, heterogeneous and subject to what has been called the ‘culture wars’.<sup>133</sup> At an international level, it is the ‘clash of civilisations’ or ‘Jihad versus MacWorld’.<sup>134</sup> The post-modernisation of intimacies has led, then, to an ongoing moral and political struggle over the kinds of lives people should be leading. There is nothing especially new about this debate.<sup>135</sup>

Yet in recent times, the disharmony of voices around ‘sex wars’, ‘family wars’, ‘identity politics’, ‘body politics’, ‘gender’ and the like have surely become very strident and visible.<sup>136</sup> Hunter in his book *When the Shooting Begins* (1994) sees the United States as a culture being torn apart by a series of escalating moral conflicts. Most of these conflicts centre over the body, as a key symbol of the wider social order; and the so-called ‘abortion wars’ must be seen as its prime exemplar. Here, indeed, are matters of life and death: and the notorious abortion clinic bombings vividly demonstrate how culture wars may indeed become shooting wars.<sup>137</sup> He finds advocates on all sides culpable of seriously debasing public and democratic discussion; even those who claim to be neutral are in fact duplicitous, and have their own axe to grind.

A court in the Abu Dhabi / United Arab Emirates has sentenced 26 men each to five years in prison after being discovered preparing for a gay wedding.<sup>138</sup> The public prosecution had accused the group (the men including UAE citizens, an Indian and three nationals of neighbouring Arab countries) of homosexuality. Homosexuality is

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<sup>133</sup> J.D. Hunter, *When the Shooting Begins*, Oxford, Free Press / Macmillan, 1994.

<sup>134</sup> See S. P. Huntington, *The Clash of Civilization: Remaking the World Order*, New York, Simon and Schuster, 1996. B. Barber, *Jihad vs McWorld: How Globalism and Tribalism are Reshaping the World*, New York, Ballentine Books, 1995.

<sup>135</sup> E. Showalter, *Sexual Anarchy*, London, Bloomsbury Press, 1991.

<sup>136</sup> Ken Plummer, *The Square of Intimate Citizenship: Some Preliminary Proposals*, *Citizenship Studies*, Vol. 5, No. 3, 2001.

<sup>137</sup> D. A. Blanchard, *The Anti-Abortion Movement and the Rise of the Religious Right: From Polite to Fiery Protest*, New York, Twayne, 1994.

<sup>138</sup> “5 Years Handed to 26 UAE Gay Guests,” *Bahrain Tribune*, No. 3265, Monday, February 13, 2006.

a serious offence in the UAE and neighbouring Gulf countries, where offenders could face flogging along with imprisonment, while foreigners could also face expulsion. The challenge here is whether Bahrain has counted these unintended consequences of its liberalisation reform and has the anti solutions for them.

#### 5.2.16 Administrative & Management challenges

Bahrain society has developed very rapidly from an agriculture, fishing, and pearl diving to modern technologies of oil production, which negatively affected the natural maturity of its society.

All people in Bahrain are talking about corruption. You open the newspaper and you will find ethical crises like embezzlement, fraud, or misuse of ministries products or services making the headlines. Usually they are referring corruption solely to the stealing of public money. This is just part of the problem of Bahrain. Therefore, before attacking this issue, people need to define the word corruption in relation to Bahrain situation. Corruptions in Bahrain cover the following matters:

- Most writers and analysts criticised the isolation of Al Baharna as a cause of threat and against urbanism, where the isolation of some of the Arab tribes has not been considered as threat to the citizenship and loyalty of Bahrain. Arab tribes' individuals have isolated themselves from the society, as they are benefiting from the ruling family, which made them failed to contribute in the economic development such as the oil industries and commerce, which lift a gap on their self-development and maintain the necessary skills for future challenges. For example, these tribal families, until resent days, did not allow their daughters to be educated and only marry from same clan.
- Another administrative challenge is the system of appointing higher posts and the period they stay in their posts. As been explained earlier, that higher posts are appointed by the King, PM, and CP. Most of these appointments are based on security rather than professions. Accordingly, people rarely expecting any positive development from these people, and usually get

frustrated as they have served for years and targeted these positions and in a sudden someone from nowhere takes their dream posts.

- Moreover, the appointed intruders stay in their position almost for life. This situation makes Bahraini employees when one of these intruders happened to be unfair, inequitable, wrongful, and unjust wish him to pass away because people know that he will stay forever and they cannot report him nor they can do anything about the situation. They can only wish him death and suffer. Such allocated posts are not appraised by superiors to find out how they are treating their staff. On the other hand, their staff also not appraised up on objectives but they are judged and promoted according to their level of loyalty to their bosses.
  
- Bahrain problem lay in the way the government is dealing with retirements. There is no real retirement scheme in Bahrain. There are people in the government working for more than 50 years and some of them are in the same post. Moreover, some individuals are holding more than one post. An example of this mis-management is Sheikh Ahmed bin Atiyatallah Al Khalifa. He is the Minister of State for Cabinet Affairs, the President of Central Information Organisation, and President of the Civil Service Bureau. Another example is Dr. Mohammed Al Ghatam. He is the Chairman of Bahrain Centre for Studies and Research Board of Trustees, Chairman of the Telecommunications Regulatory Authority, and Chairman of Alba. Although these individuals are very intellectual, and hard workers but in management a person should not have such excessive power and responsibilities. If the government is adopting such managerial policy, then this will create unemployment and frustration in Bahrain society. The opposition in Bahrain took such assignment to confirm their point of view about employment on the base of security rather than qualification.

- In the government of Bahrain, most of the ministers, undersecretary, and managers focus on international issues rather than the internal ones. They travel abroad almost twice a month and spend thousands of Bahraini Dinars with no return at all internally. If you ask them to stay home and concentrate in the issues that Bahrain needs, they will tell you that this is part of their job and part of the international commitments and political requirements. Indeed, the average money spent on these abroad travel meetings and conferences is BD 60,000 (\$159,000) a year in a very conservative ministry.<sup>139</sup> Again, the majority of the government high posts in Bahrain work for their benefits and do not care about the development of the country and finding solutions to the citizens.
  
- Government ministries and directorates systems can be so inefficient and bound up with red-tape, they are bound to drive away not only foreign investors but also the people of the country who experienced the mountain of bureaucracy, which only those who have powerful contacts or wield influence are able to climb. The simplest transactions take days to be completed at a government ministry where eight o'clock means eleven o'clock and where Saturday means Tuesday, because there is no consideration for citizens' time or nerves.<sup>140</sup>

#### (1) The Process of decision-making

In Bahrain, the process of decision-making is incomplete. When the King, CP, or the Executive branch decides to take a strategic decision, they close the arising issues from that main decision. For example, if a decision is taken to grant a foreigner Bahraini citizenship, the only thing that will matter is the issuing of the Bahraini passport. Whereas, there are several issues need to be studied prior to the decision and others to be considered after the decision. See Figure 5.10. The Minister of Housing, for instance, should be informed to provide him with

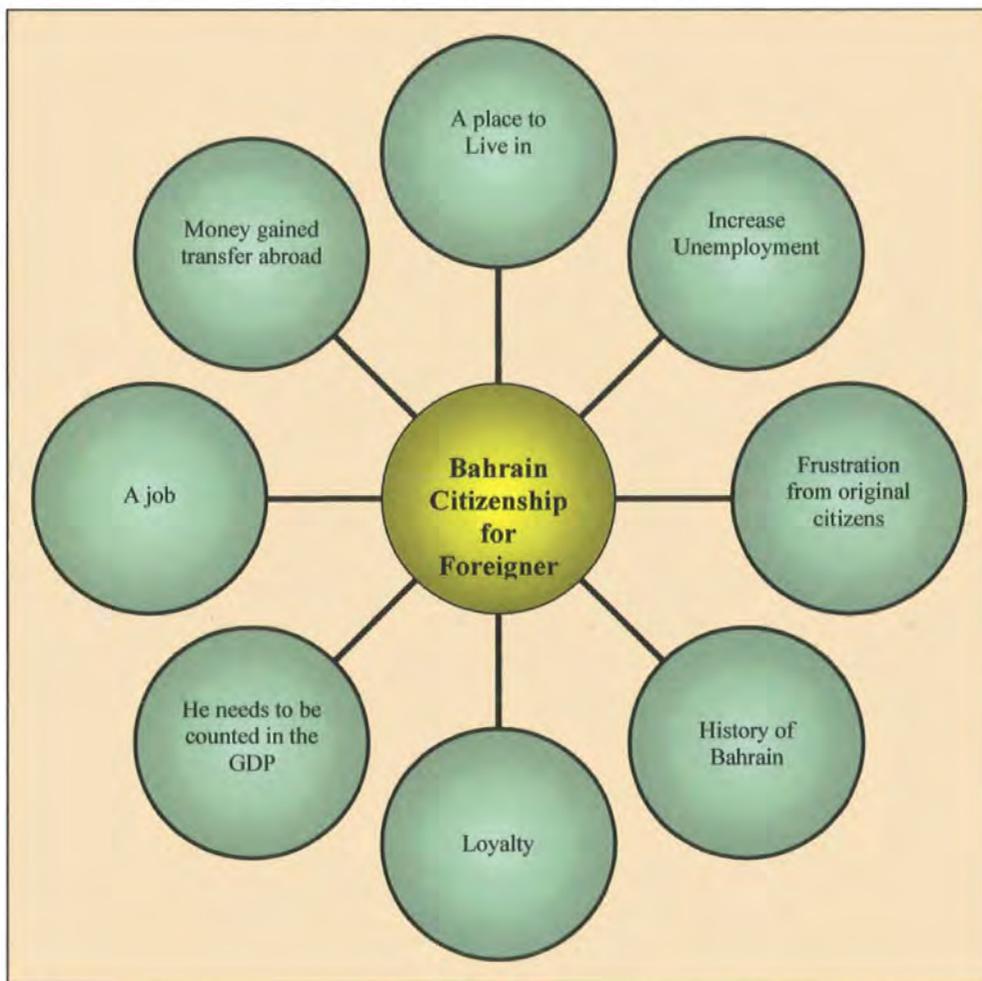
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<sup>139</sup> Privileged information available to the author

<sup>140</sup> Lamees Daif, "Bureaucracy," Bahrain Tribune, Saturday 12 March 2005.

accommodation; the Minister of Finance should count him in the GDP (medical cost, education, job, housing, etc.), the Minister of Education to enrol him or his children in school and to teach him the history of Bahrain and how to make him loyal to the Kingdom. On the other hand, the decision-maker should realise that original citizens would be irritated as he is contending with them on employment and many other issues. All the money that he will make in Bahrain will hurt Bahrain economy, as this money will be transfer abroad. Finally, is the culture of Bahrain ready to have a Bahraini citizen by the name ‘*Ali John Michael or Mohammed Raj Suresh?*’

Figure 5.10: Decision-Making Process



The following table shows the conflict of civilisation that could arise from the unsystematically political citizenship. See Table 5.9 below.

*Table 5.9: Comparison between Original Bahraini and naturalised*

Criteria	Original Bahraini Citizens			Political Citizenship		
	Low	Med.	High	Low	Med.	High
Loyalty			√	√		
Bahrain Culture			√	√		
National Awareness		√		√		
Bahrain History			√	√		
Education			√		√	
Birth Control			√	√		

### 5.2.17 Population Size

As indicated earlier in chapter three, Bahrain is fortunate because of its small size, which has meant there is daily eye-to-eye contact between the ruler and its population. However, the small size and small population make the enforcement of law and regulation very difficult. Moreover, traditions and culture are also behind these disobediences. Given Bahrain’s small size, familiarity is a genuine issue and this encourages discrimination in the application of rules and regulations by some officials. Such instances could include preferential treatment in skipping queues, cancelling violations or breaches of the law, promotion, and many other day-to-day activities.

Figure 5.11 below is a hypothetical example that could clarify this phenomenon where if we take a simple traffic policeman and find out how many persons could be allowed to violate traffic law without being charged. Assuming he is unlikely to charge his parents, friends, relatives, and possibly good-looking women, we cannot discount that the corruption would end at this level. It could conceivably spread further to cover the friends of his relatives, friends of his family, friends of the good-

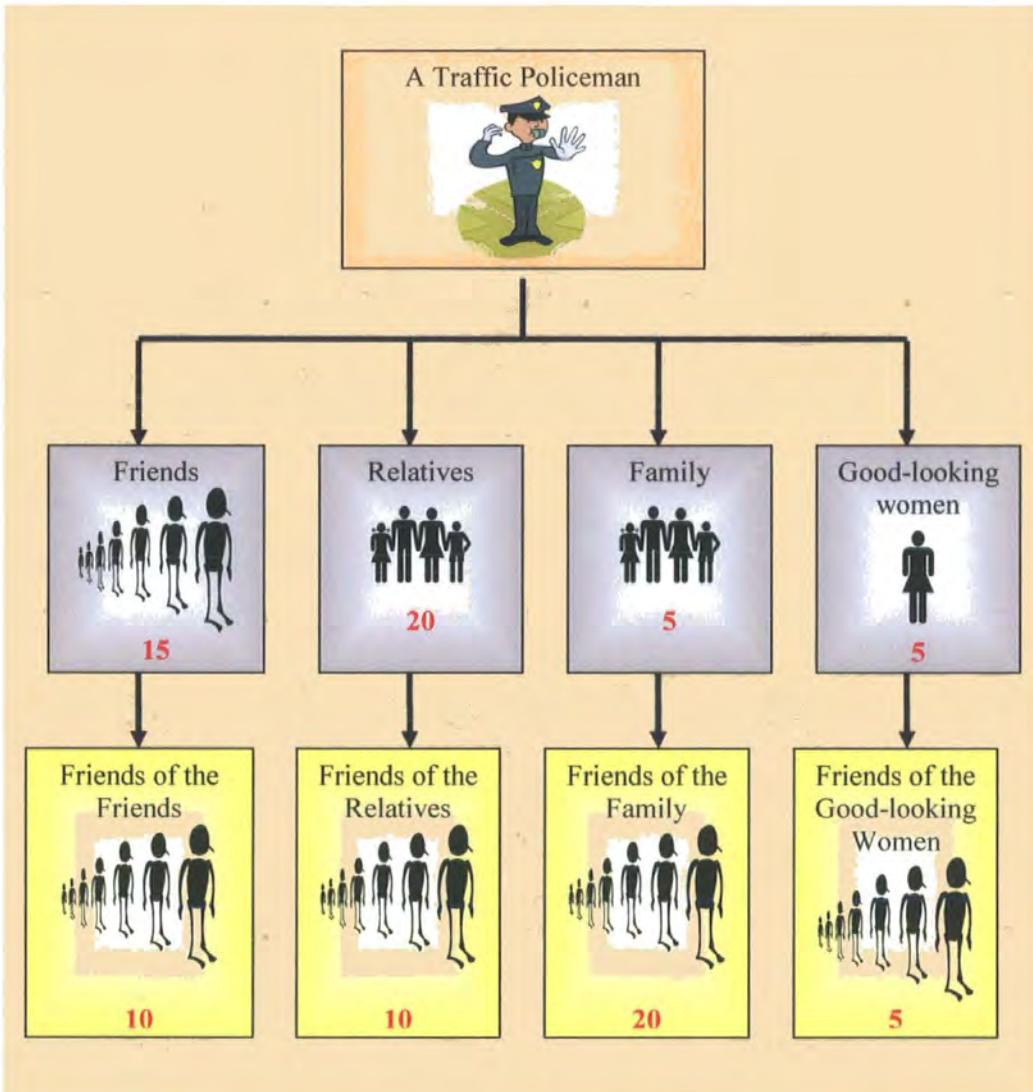
looking women, and friends of his friends. An average traffic policeman could give preferential treatment to approximately 90 persons. Accordingly, if it could be assumed that there are about 100 traffic police, and then this means that approximately 9,000 (90 x 100) people will be exempted from traffic violations.

To apply this observable fact to the individuals shown in Fig 5.11, that could have special treatment then a total of 234,000 person will not be violated because of culture grounds. To make the above example more reliable 100,000 should be deducted from the total as some of these people have the same friends, relatives, and good-looking women. Therefore, around 134,000 people will not get any road violations. The total figure considered very high compared to the total Bahraini population of 405,667, as we should only consider those people who are from the age of 20 and above that could drive that come to 198,257.<sup>141</sup> As a result,  $198,257 - 134,000 = 64,257$  are the people who may be violated bearing in mind that some of these are not driving or do not have cars.

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<sup>141</sup> See population by age groups, according to nationality and sex – 2001 in Chapter 5.

Figure 5.11: A hypothetical example to illustrate the complications of enforcing laws and regulations



*Table 5.10: A hypothetical example to illustrate the complications of enforcing laws and regulations*

Place	Number of facilitators Employee	Equation	Exempted People
Police Force	500	500 x 90	45,000
Bahrain Defence Force	500	500 x 90	45,000
National Guards	100	100 x 90	9,000
Royal Family	1000	1000 x 90	90,000
King Court	100	100 x 90	9,000
PM Court	50	50 x 90	4,500
CP Court	30	30 x 90	2,700
First Lady Court	5	5 x 90	450
Ministers	20	20 x 90	1,800
Advisors	5	5 x 90	450
MPs	80	80 x 90	7,200
Government Undersecretaries	50	50 x 90	4,500
Government Directors	60	60 x 90	5,400
Businessmen	30	30 x 90	2,700
<b>Ordinary individuals working in services organisations:</b>			
Telecommunication	10	10 x 90	900
Electricity	10	10 x 90	900
Municipalities	10	10 x 90	900
Banks	10	10 x 90	900
Constrictions	10	10 x 90	900
Housing	10	10 x 90	900
Labours permit	10	10 x 90	900
		<b>Total</b>	<b>234,000</b>

The level of connections between people in the Kingdom is too high. Accordingly, each citizen could directly watch other citizens' degree of living, and become very sensitive towards any differences in his way of living and feel deprivation. Moreover, people in Bahrain also went one-step further as they started to compare themselves with citizens of the other Gulf States. Again, these comparisons add up to Bahrainis sorrows and lead to the negative behaviours towards their jobs, way of living, and reforms, which lead some of them refer to the use of force to show these feelings.

An excellent cartoon in Al Ayam Newspaper illustrates the complications of imposing rules and regulations in Bahrain are shown in Picture 5.3 below. The policeman's caption says: "O my God, you are talking on the mobile while you are driving and not wearing the seatbelt and your licence and insurance are expired and on top of this you are drunk! What am I to do? The driver's caption: "Don't do anything, just look carefully to my registration number!"

*Picture 5.3: the complication of imposing rules and regulations in Bahrain*



#### 5.2.18 Citizenship and National Education

In the light of the sweeping global changes, whose most salient feature is the phenomena of globalisation, which will culminate in reshaping the world in lines with new economic fundamentals that the World Trade Organisation will contribute to their propagation, and in accordance with cultural principles through conversion of global culture into a reality by seeking the preponderance of western culture leading to undermining the standards of the individual's loyalty and weakening the very entity of the national state through the tools of globalisation in the form of companies, satellites, associated satellite stations and the internet which do not recognise the boundaries of time and place.<sup>142</sup>

<sup>142</sup> Francis Fukuyama, "Trust: The Social Virtues and the Creation of Prosperity," The Emirates Centre for Strategic Studies and Research, Hamish Hamilton Ltd., 1998, p. 17.

This reality highlights the significance of citizenship and national education for preserving the identity of the community in the face of the threats and dangers of globalisation and its institutions. This does not mean that the solution resides in turning into a recluse and keeping the world, which has grown into a small village, at a safe distance, but rather having each individual acquire immunity through a valid national education that provides him/her with the knowledge, values, principles and skills that enables citizens to interact with the new liberalisation reform and the contemporary world without having an impact on their national identity.<sup>143</sup> This will bring us to the importance of citizenship principles. Citizenship's issues have been raised long time ago due to its importance to the continuity and stability of the different communities and preservation of their identities, institutional and living cultures, traditions, and customs. When the citizenship is intact and sound, the communities will develop and flourish and will enjoy welfare and stability. However, when the citizenship grows weak and feeble among the citizens, it becomes fragile, vulnerable and a fair prey to evil ambitions. Many characteristics have widely spread, such as egotism, gratification of self-interests, aggressive behaviour towards the group, and the various forms of extremism.<sup>144</sup>

In the old days, citizenship in the Arab tribal way of living need not to take root as individuals brought up in an atmosphere that has no differences in culture, religion, colour, sect, and their interest was common. The time has change and Bahrain become an arena for different people who have different religion, different interest, different colour, sect, religion, and many other things. With all these differences, people should remain having a sense of loyalty to the Kingdom. Unfortunately, Bahrain continues to live on a tribal way even after its independence, development, and become a member of several international organisations. This situation has affect Bahrain negatively on building its national state and common citizenship for the society. In Bahrain, citizenship is weak among the citizens. The majority of the society is agreeing that several behavioural diseases rose in the society. The

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<sup>143</sup> Ibid, p. 35

<sup>144</sup> Saif Al Mamrey and Mohmood Toosan, "*Moghawmat Al Mowatana*," Paper presented in the conference of Bahrain University, 29-30 September 2001, Bahrain, p. 2.

characteristics that mentioned above have widely spread, in Bahrain community. However, not only Bahrain, but the whole world is experiencing a citizenship crisis represented, as certain studies indicate, in the forms of diminished drive to serve the community and the nation, lack of detailed knowledge of government institutions, shallow concepts formed by the community members of citizenship, loyalty, history, language, and democracy.<sup>145</sup> The issue of citizenship and national affiliation has been one of the subjects of major interest in the various disciplines of human sciences for a number of reasons, including:

- The existence of a positive correlation between belonging and the political and social stability and between affiliation and development.
- The momentous technological development in the recent year and the dictates of cultural immunisation for the youth against the factors, which may severely undermine their sense of belonging.
- The global migration towards liberalisation and democracy.
- The substantial social and economic changes and upheavals that have affected the societies and caused a shock in the community thinking in general and that of the youth in particular. The struggles are no longer of a military nature but of a cultural and heritage nature.
- External cultural impacts on the society's values and principles.

The historical and chronological development of human communities confirms the fact that each community has its unique peculiarity or historical identity, which took shape over the years. The religion, language, history, customs, tradition, governance system, and societal institutions are considered key and significant factors in the shaping of the cultural patterns prevailing in the community and which in turn shape the system of values and beliefs that set the community apart from the other societies. This rule applies to the Bahraini society with all its originality, contemporariness,

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<sup>145</sup> See Dawn Oliver and Derek Heater, *The Foundation of Citizenship*, Hareaster Wheatshe, New York, 1994, pp. 202-210., B. Garman, "Civic Education Through Service Learning," ERIC Digest, Document No. ED390720, 1995., C. Hobson, D. Zock, "Education for Democracy: The close Up Story," *The Social Studies*, Vol. 84, No. 5, 1993., J. D. Hoge, "Civic Education in School," ERIC Digest, Document No. ED301531, 1988., J. Patrick, "Teaching the Responsibilities of Citizenship," ERIC Digest, Document No. ED332929, 1991., R. Woyacht, "Leadership in Civic Education," ERIC Digest, Document No. ED351270, 1992.

heritage, complexities, Bedouin spirit, civilisation, and the essence of its tripartite experiment which combines at a time the past, the present and the future. Bahrain, has started the national education drive many ages ago, which took the form of the ability to co- exist within a community with a wide array of assorted cultures, religions and sects and with people of different nationalities and affiliations. Nevertheless, Bahrain's social fabric has not been put into question; this was underlined by the unanimous endorsement of the National Action Charter project and the eager participation to realise the objectives and ambitions of the King of Bahrain.

The generalisation of modern citizenship across the social structure means that all persons as citizens are equal before the law and therefore that no person or group is legally privileged.<sup>146</sup> The 2002 Constitution of Bahrain confirms too these right in Chapter III, Article 18 "*People are equal in human dignity, and citizens are equal before the law in public rights and duties. There shall be no discrimination among them on the basis of sex, origin, language, religion, or creed.*"<sup>147</sup> Therefore, it is the case with the citizenship sought in Bahrain by King Hamad. He is aiming to base it on social liberty, justice, equality, tolerance, prevalence of peace, casual social connectedness within the framework of a unified code of concepts. It covers the relationship between the individual and the state that includes the rights and obligations and the strong sentiments that the citizen feels towards the country as translated in elevating the interests of the community and the nation and voluntary willingness to participate in activities and functions that target the public interest over the personal interest and readiness to sacrifice oneself for the sake of the beloved country.

Moreover, the responsible citizen, in the words of the Crown Prince, "*is the one who develops himself using his own creative and innovative thoughts and energy and who serves as an example to the others in ethics and good citizenship.*"<sup>148</sup> In

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<sup>146</sup> J. M. Barbalet, "*Citizenship: Rights, Struggle and Class Inequality*", University of Minnesota Press, Minneapolis, 1988, p.2.

<sup>147</sup> Bahrain Government, "*The Constitution of the Kingdom of Bahrain*," 14 February 2002.

<sup>148</sup> Most of the Bahraini Newspapers, 24 July 2003.

contrary, Bahraini citizenship is not meeting the required political participation and other reforms aspects. There has no consistent or tradition of civic education in the Kingdom. There are minus concerns expressed by politicians, media, and voluntary bodies about society in general and young people in particular. Concerns for low levels of participation in local and national elections, social exclusion leading to anti-social and criminal behaviour, the lack of a feeling of national identity, the need to combat racist attitudes and behaviour, the need to foster international awareness, developing thinking skills, enabling young people to engage effectively in rational public discourse, females to understand their equal rights without conflicting religion issues, and citizens understand clearly their rights, responsibilities and the law, are not seriously considered.

Civic values are the principles that guide both the government and the public life of the people. They define the rights and responsibilities of citizenship. The civic values incorporated in Bahrain's constitution are derived from many sources. There were spiritual and liberalise principles from the Holy Quran and culture. These principles built upon the fact that people are born with certain natural rights, given by God, which no one including the government, should violate. Some defined them as life, liberty, and property. Others described equality, democracy, and protection from harm by others as other natural rights. It is vital that citizens understand not only the structure and laws of their government, but especially the purpose and civic values that the government represents.

There are several reasons that may lead to poor affiliation, including:

- The gap between aspirations and available resources.
- Lack of example to be emulated at work sites.
- Dominance of personal interests in life where new concept have been introduced, causing human relations to be tainted with the materialistic aspects of life.
- Preponderance of luxurious or extravagant consumption patterns and imitation resulting from travel and tourism abroad.

- Lack of the twin principles of reward and punishment.
- The great variation between the incomes of the various classes of the community and absence of fair distribution of wealth within a single community.
- Poor political upbringing of the youth.
- Weak religious deterrence.
- Failure by the individual to secure his rights guaranteed by law and the constitution.
- Poor bondage and relations between the individuals of the community because of increased reliance on alternative means of communications, such as mail, telephone, e-mail, and fax that reduced the levels of direct contacts between humans.
- Wide spread of unemployment.

### 5.3 CONCLUSION

In his 1971 National Day Speech, the first since independence, Amir Isa bin Salman announced that the country would have a constitutional form of government. Such a constitution would protect the society's unity and cohesion, and guarantee the citizenry their basic individual freedoms of education, work, social welfare, health, and the free expression of opinions. It also provided the people with the right to participate in the management of their country's affairs in a context of legitimacy and constitutionalism.<sup>149</sup> Amir Isa did try but could not handle the reform.

What is clear from the above analysis is that King Hamad launched ambitious changes to Bahrain since coming to power after the death of his father in 1999. He brought political openness, released political prisoners, invited the opposition back from exile, reformed the security forces, and promised elections. All this marked a vast improvement over the situation in the 1990s, when the regime busied itself with brutally repressing its opposition. Bahrain's previous experiment with a parliament, from 1973 to 1975, foundered not on the sectarian issue but because the ruling

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<sup>149</sup> State of Bahrain, Ministry of Information, *Hūna Al Bahrain*, December 1971, p. 3.

family grew, exasperated at the legislature's refusal to agree to a restrictive law on public security. The main Shia opposition group in the 1990s has been quite moderate, focusing its demands on the restoration of the 1973 Constitution and eschewing any demand that the ruling family be removed from power.

There is the problem of social stratification, which is far more rigid in Bahrain than anywhere else in the Gulf. The ruling family and its Najdi tribal allies can be described almost as a caste: one has to be born into it. This stratum holds a monopoly of political power and demonstrates an increasing presence as economic elite. More attention must be paid to sharing power, increasing political participation, applying strict management policies, and encouraging a more egalitarian society without negative emphasis on sectarian or community distinctions. Weak parliaments are a way to look good while not giving up real power. The partial election of a parliamentary body addresses some grievances but the pattern of discrimination against Shia and Sunni remains as serious as ever. Shia and second and third class of Sunni representation in the higher levels of government remains limited, they are systematically excluded from employment in the Arm forces, and job opportunities are scarce.

Some would argue that change must come slowly, partly to moderate the powerful neighbour Saudi Arabia and partly to ensure internal stability. But times have changed for Saudi Arabia as well as its GCC allies. A *Majlis al-Shura* sits in Riyadh, an appointed consultative body represents all the GCC, and the Saudis have shown greater toleration of developments throughout the Gulf, including elections in Kuwait, Qatar, and Oman. Still, just possibly, a Bahraini crisis would leave fellow GCC members – and Saudi Arabia in particular – in a quandary over whether to intervene to save the ruling family. Nevertheless, is such a scenario likely? After all, it can also be argued that changes to the political *status quo* in Bahrain pose a far greater threat to those individuals and groups enjoying entrenched positions than they do to social cohesion. The system in Kuwait has not been threatened by an assertive elected parliament and Bahrainis have long regarded themselves at least as

sophisticated as the Kuwaitis. In fact, the greater potential for fracture would seem to derive from the denial of real reforms, rather than the pace of actual reforms.

It could be argued that King Hamad needs time to exert his full authority over his state. Thus, government reshuffles since 1999 was essentially inconsequential. The first phase of King Hamad's strategy necessarily been focused on defusing the conditions of the unrest and gaining the trust of his people, thus creating personal legitimacy. Only once this has been secured can he enjoy the requisite strength to take over the full reins of government. It must be a slow process, the old government grew around the serving of many individuals own interests. In the process of transition, the main challenge for the ruling elites, and in particular the new generation, will be of course to maintain their distributive power. For their partners (merchant families, influential old tribal allies and the newcomer technocrats), it will be to strengthen and maintain their position as challengers of the ruling elites to provide economic welfare to the population. In addition, there are substantial elements within the Al Khalifa who fear that any changes represent concessions, and that concessions spell the beginning of the end.

The reality for many young people is that the government is still disconnected from its people. Few links have been developed between civil society and the government. One powerful way to forge more links would be for the leadership to make some public sacrifices and share some of the economic pain. Sheikh Zayed of the UAE was respected in Bahrain for his simple lifestyle and commitment to relative equality.

Observers think that most of the real reform measures that have been implemented are not democratic advances, per se, but human rights advances.<sup>150</sup> The real challenge for the King was whether he prepared himself enough prior to the actual declaration of his liberalisation programme and had the answers for the following questions to insure the continuation of the reforms:

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<sup>150</sup> Nadeya Sayed, "*Political Reform in Bahrain: The Price of Stability*," p. 224.

- Did the King think about all oppositions' demands and prepared solutions and precautions?
- What could happen if half of the Consultative Council becomes elected?
- What if the government directly or indirectly resist the reform?
- What if the Prime Minister retired?
- How to over come the problem of unemployment?
- How to over come the increasing level of poverty?
- How to maintain more Human Rights issues for all citizens?
- How to apply equality?

Finally, after identifying some of the significant trends that prevent the Kingdom from practicing liberalisation, a citizenship strategic plan is needed to overcome such socioeconomic and political-cultural trends. However, encouraging citizenship to such a society with the forgoing trends and background will not be an easy task to be accomplished. The political aspects by itself will not work in such arena. There are worrying level of apathy, ignorance and cynicism about public life. These, unless tackled at every level, could well diminish the hope for building constitutional reform and of the changing nature of the welfare state.

## **Chapter VI**

### **Recommendations**

## **6.0 INTRODUCTION**

In the preceding chapters, this research study has offered the first detailed qualitative analysis on Bahrain's reforms during the time frame 1999-2005. An examination was provided on the socio-economic, legislative, and parliamentary restructuring whilst also examining the important case of human rights. When we view this in light of the historical context of Bahrain, as was provided in chapter 2, we can recognise at this stage that King Hamad's reform programme is nothing short of revolutionary. It has become clear that it is a comprehensive programme which is radically overhauling the system, but is encountering genuine challenges which both restrict its rate of progress and more significantly its overall viability in the long term. This is something which has become very clear in the last chapter which identified the challenges facing this new wave of reform.

Given what has been identified, there is an opportunity for this thesis to not only show what problems the reforms are experiencing, but also to brainstorm where the government should go from here and make selected proposals. Indeed, this thesis seeks not only to ascribe new meaning and provide information for scholarship, but also aims to be a policy relevant research study that can impact on the future course of Bahrain. Moreover, by recognising the opportunities and by proposing new policy initiatives, this study will be able to offer a comprehensive evaluation of the reforms in the time frame under question. Therefore, the purpose of this chapter will be to provide a series of recommendations, not in any particular order, based on the challenges facing the reform project, with the purpose being to offer practical solutions of how to overcome them.

### **6.1 Recommendation 1: The King**

In an article by Ahmad Al Robai, an intellectual from Kuwait, indicates that in one of the British elections, the Conservative Party leader was interviewed on BBC television. He was asked "Do you think that the Conservative Party will win this time for the third time by majority votes?" Without hesitation the leader replied "I am afraid-Yes." The interviewer asked him "Why you said 'you are afraid'?" The

leader of the Conservative Party said “I am afraid from the several times that we govern; we forget in the future how we could become an opposition.” And he added “I am also afraid for the Labour Party for being opposition for a long time that they forget to run the government effective in the future.”<sup>1</sup> The British politician was not thinking of his party but he is thinking of his country. Moreover, he was not thinking of himself but his family. This spirit did not come by coincident but as result of highly developed democracy. King Hamad has a number of things to do to march forward the reform programme steadily and firmly before it is too late. Therefore, the thesis came up with few recommendations:

- The King should continue closely monitoring the government process and steer them to the main purpose of the reform. He should, for the time being, focuses in the small issues as these issues that bring the main strategy alive. For instant, when Mohammed Bin Rashid of UAE broke the glasses that separated the government’s employee from customers with his stick, he declared a new wave of change that put Dubai in the right track with the right managerial philosophy.
- Reduce the size of the Consultative Council to twenty or appoint twenty members with the rest being elected.
- Steps such as appointing a young minister (Fahmy Al Jawder) should be repeated consistently in the governmental cabinet and the Consultative Council reforms.
- Steer the ruling family to enrol in the business sector rather than concentrating in the government.
- Personally, the King should look at the issue of poverty and calibrates with all government’s branches to practically solve this disease that could hold the reform to go any further. As mentioned in chapter 5, from the concept of

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<sup>1</sup> Al Hayyat Newspaper, 24 September 2005.

compensation, the King should compensate for the damaged caused by the old regime to his citizens. The constitution indicate in Article 12: “The State guarantees the common liability of society in bearing the burdens arising from public disasters and ordeals, and for compensating those affected by war damage or as a result of performing their military duties.”<sup>2</sup> King Hamad repeatedly said the word ‘reform’, which mean in Arabic ‘*Eslah*’. This clearly indicates that there was damaged that have been caused and needs to be reformed.

The thesis here suggested a theoretical scheme that could be adopted and transfer to reality by experts. Instead of giving huge amount of money in the form of grants, it could be transfer to a new project that make all the approximately 70,000 to 80,000 poor families in Bahrain productive and overcome their poverty situation on no time. The following steps should be followed:

- ☞ The government should create a fund from the protracted oil boom.
- ☞ Request the trans-national institutions that have linked their investments and donations of aid to the improvement of Human Rights issues such as GCC states, USA, the European Union, World Bank, private businessmen, and International Monetary Fund, to participate in this fund in order to secure the processing of the liberalisation programme.
- ☞ Add to it the fund of the *Zakah* money.
- ☞ Forgive bank loans of all these targeted Bahrainis families.
- ☞ Secure them with houses.
- ☞ Buy them all the basic needs.
- ☞ Secure their education expenditures.
- ☞ With the cooperation with the Bahrain Economic Development Board invest some of the money for them.

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<sup>2</sup> Chapter II, the Constitution of the Kingdom of Bahrain, 14 February 2002, Bahrain.

- ☞ Facilitate their enrolment in small business (Microfinance initiative). Increase financing opportunities for the region's small entrepreneurs, especially women.
- ☞ Save a portion of the amount for their new generation.

There are several advantages for the proposal.

- ☞ It will create a strong middle class society.
  - ☞ Increase investment.
  - ☞ Create job opportunities.
  - ☞ Decrease pressure in the government to create more jobs.
  - ☞ Promote more loyalty and patriotism.
- Guarantee that all citizens and residents of Bahrain, including members of the ruling family, are held accountable for offences.
  - Put an end to the appointment of advisors with the rank of minister of the retired ministers as this does not give place for new generation to be promoted and the gap of the thinking tanks will be wide and will not work to the benefit of the youth. Moreover, retired individuals should be left in the society to be as an asset for information and advisory business in the private sector and/or could replace the mounting number of foreign advisors in the government. By constitution, he should retire all government employees that have their own business to avoid conflict of interest and open up more vacancies for the unemployed.<sup>3</sup>

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<sup>3</sup> Chapter IV Public Authorities General Provisions, Section 2 the Executive Authority, Article 48 [Departments, Incompatibilities]

*b. While in charge of his Ministry, a Minister may not assume any other public office, nor may he even indirectly practise a profession or conduct industrial, commercial or financial business, nor may he participate in contracts concluded by the Government or public institutions, or combine his ministerial position with the membership of the board of directors of any company except as a non-remunerated Government representative. Also during this period, the Minister may not purchase or rent a State asset even by way of public auction, nor may he lease, sell, or barter any of his assets to the State.*

- Impose transparency in government financial dealings and the financial holdings and interests of all officials of cabinet rank and above through the more authorities to the National Audit Court.
- Expedite the establishment of the Administrative Monitoring Bureau making sure that the appointed individuals are highly qualified and mostly from the private sector as they have better managerial skills than the government ones. For better performance the Bureau ought to be reporting directly to the parliament.
- Delivers a wise strategic plan for the usage of remain land in the Kingdom.
- Develop new specialities in Bahrain Defence Force such as fish farms and agriculture and recruit Shia individuals on these fields for the time being until they settle down with the progress of the reform. Such action could relief the Shia opposition.
- The King should insist on regular bases to remind the government to keep close contact with citizens and meet their needs.
- The King should be very cautious of using the term '*democracy*' whether formally or informally in his speeches. Because democracy, as explained in chapter four, mean many things that the Kingdom of Bahrain could not meet. On the other hand, if the constitution, by any mean, re-opens for further amendment the word '*democracy*' in Article (1) should be re written to '*Liberalisation*'.<sup>4</sup>

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<sup>4</sup> Article 1 [Sovereignty, Constitutional Monarchy]

*d. The system of government in the Kingdom of Bahrain is **democratic**, sovereignty being in the hands of the people, the source of all powers. Sovereignty shall be exercised in the manner stated in this Constitution.*

- King Hamad should create a group of young, educated, and loyal individuals to work as his eye in the community and report to him regularly of any miss used of authority by government employees, slackness, and any act that could affect the advancement of the reform. He may call them “Hawk or Falcon Team.”
  
- Some officials who are described as VIPs and/or dignitaries react with regard to their positions as if these were a bequest inherited from their forefathers and with regard to the establishments they run as if these were private feudal estates or home garden. Probably this is due to an Arabian legacy back to the time of the Umayyad Dynasty, which has entrenched the principle of “the eternal official” in his position, which he will abandon only to the grave. The principle of the “official position succession,” especially those important and sensitive positions, was a major reason for the corruption of the French Empire during the regime of the Bourbons who ended up in the guillotines of the French Revolution. The King should retire those people who been too long in the government as they are not able to give more effort; they are not cooping with reform process, and could not cope with new generation requirements.
  
- The King should delete the sentence that distinguished the ruling family in Article (3)-point (4) of the Law of the Shura Council and the Parliament (Issued by Law by decree No. 14 for the year 2002) that reads: *“The selected person must either be experienced and (or) one of those who have performed distinguished service(s) to the Country in one of the following fields:*
  - ☞ *Members of the ruling Family.*
  - ☞ *Former minister.*
  - ☞ *Those who have worked at the post of ambassadors and minister plenipotentiary.*
  - ☞ *Former Members of the judicial bodies.*
  - ☞ *Retired security officials.*

- ☞ *Former Senior Scholars, businessmen and professionals.*
- ☞ *Former members of the parliament.*
- ☞ *Those who have exceptional popular trust and support.*

Such action will reduce the frustration of many citizens. On the other hand, no one will object if members of the ruling family are one of all the rests of the list.

- Usually, in Bahrain, intellectual individuals are fought back and kept away from promotions by the top management in the government. This action is a kind of protection for the higher management to keep the elite people to secure their position and give the government 30% effort and the rest to be used for personnel benefits. The King, therefore, should closely follow these mismanagement issues and protect the young intellectual for better performances.
- For the selection of individual for the high posts in the government, the King instead of asking the people surrounding him or choosing from newspapers, he may carry out the following steps:
  - ☞ Decide the post.
  - ☞ Decide the profession needed for the post.
  - ☞ Decide the range of the age of the appointee.
  - ☞ Ask the Central Informatics Organisation (CIO) to give him all citizens who have the qualification and the experience for the job required.
  - ☞ Request the National Security people to provide him with security information about the individuals in the CIO's list.
  - ☞ The King can then shorten the list with some settings such as age limit, gender, sect, culture, tribal, others.
  - ☞ The final list will include the best individuals with the profession required for the job. Therefore, the decision of appointing the

governmental higher post will, to some extent, be sufficient and will generate better output.

- King Hamad should always put in mind that the West is pushing for secular countries that keep the religion away from politics. This might from the first glance become as protection for the Monarchies, and it could in the short-term. But in the long-run the hereditary monarchies will be threaten as people will be brought up on democratic bases and will soon demand for secular country that chooses their leader in a democratic process. Accordingly, the King should come up with his own liberalisation system that meet Bahrain's capability, culture, religion. He should take into consideration that the supper power that exists today and dictate its political system peacefully or by force might not be there tomorrow. Therefore, Bahrain ought to build its own system that work for the present and the future from its prospective and not to flow with external influences, because if it did not then let us be ready to change to China's doctrine soon.
  
- King Hamad need to collaborates with his wife Sheikha Sabeeka to contain all the women that have been chosen to high posts in the kingdom and constantly train them in management skills and leadership so that they can prove their qualification of the post they are holding. The common view in Bahrain about most of these women is that they are running the organisation as they run their homes. They temperamental manage their employees and their feminine touches reach the organisation's image and many other things. They even decorate their offices as their houses. The First Lady therefore, should pay this issue more attention through the Supreme Council for Women and never make the King be disappointed for appointing them.
  
- The new Amir of Kuwait Sheikh Sabah Al Ahmad in February 2006 ordered the government to band putting his pictures on the streets.<sup>5</sup> Previously, Amir

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<sup>5</sup> Al Ayam Newspaper, Friday 21 April 2006.

of Qatar also did the same. In Bahrain, were the percentage of poor people are massively higher than those two countries; the streets of Bahrain are crowded by the pictures of the leaders. There are thousand of Dinars involve in such action. Moreover, all Bahraini newspapers got filed with the leaders' pictures in the National Day, Eids, and many other occasions that make individuals, government, private sectors again wasted millions on unreasonable action. This money could be transferred to charities for the poor or other humanitarians' funds. Therefore, the King should urgently stop this act of hypocrisy and duplicity.

- The National Security Organisation (NSO) in Bahrain is not delivering as it should. The State Security Law is still the dominant philosophy of the new NSO. The King should steer them to take over issues such as education, citizenship, violent behaviour, disloyalty, increase violation behaviour, corruptions, and many other social, economic, and political issues. There is rumour that the NSO will be again under the Ministry of Interior organisation. If this is true, then it is only greediness of some individuals to gain more power by joining the two organisations. Such decision, to some extent, could be unwise. There are enormous differences between the two institutions. The NSO should be saved by the King and should also divert its reporting process to himself.
- Because of the inexperience appointed ministers in the government, Bahrain need to have VIP managerial condense courses. They required the skill to manage their employees, manage the resources, deal with the press, know how to be diplomatic, and less dependent on foreign advisors. Moreover, the King should meet with all Ministers regularly to steer them to the objectives of the reforms programme and teach them his doctrine.
- King Hamad may continue naming roads and streets by the names of dignitaries' Bahrainis who become a source of prides to Bahrain. He should

not wait until these people pass away and then honoured their memory. He should privilege them why they are still alive as this will work as a cause of national education and strengthen the concept of loyalty by the honoured individuals, their family, and friends. Moreover, it will work as a motivation perception for others to follow base.

- The national anthem of Bahrain does not, to some extent, match with the reform programme philosophy. It is not motivational to the people of Bahrain. The King may need to request the rewriting of the anthem to be the number one aspect of citizenship inspiration. The wording should concentrate on the people and the land rather than the ruling issues. The wording should be promoting loyalty and patriotism.
- King Hamad should be aware of the rapid modernisation and high economic growth that rushed a change from tribal to high-tech societies in one generation or less. When traditional norms and social patterns crumble or are made to seem irrelevant, new radical ideologies (sometimes based on religion and/or nostalgia for a glorious past) may become attractive to certain segments of society. Modern society also facilitates violence by providing access to rapid transportation and communication, news media, weapons, etc.
- The reform should redistribute the power and authority of each branch of the government system avoiding domination and inequality of power to one branch from the other. When local or international powers possess an overwhelming power compared to oppositional groups, and the latter see no other realistic ways to forward their cause by normal political means, they may turn to the use of force to be heard and recognised.
- An essential factor that causes the rise of violence and opposition is the credibility of the government. The King should always have an eye on the performance of the government and frequently replace the unproductive

members with a more credible and legitimate ones. He should continue what he started at the beginning of the reform by appointing new and young citizens in the government. The King should demand the government to follow his revolutionary programme and represents the values and interests of citizens and also the opposition movement.

- Some groups are excluded because they hold views or represent political traditions considered irreconcilable with the basic values of the state. Large groups of highly educated young people with few prospects of meaningful careers within a blocked system will tend to feel alienated and frustrated. Excluded groups are likely to search for alternative channels through which to express and promote political influence and change. To some, terrorism can seem the most effective and tempting option.
- The reform should also carefully remove the experience of social injustice that some people in Bahrain used to reside before the reform programme. Relative deprivation or great differences in income distribution (rather than absolute deprivation or poverty) in a society have in some studies been found to correlate rather strongly with the emergence of social revolutionary political violence and terrorism.
- The King should continue his wisdom on calming the opposition and insist on the government to follow base. As sometime the continuation of the riots and violence is just as a reaction of past experiences such as contested elections, police brutality, or other provocative events that call for revenge or action. Violence is often sustained for reasons other than those which gave birth to it in the first place. It is therefore not certain that it will end even if the grievances that gave rise to it, or the root causes, are somehow dealt with. Opposition groups may change purpose, goals, and motivation over time. Some continue even if many of their political demands have been met as it is

happening in Bahrain where King Hamad almost met all of oppositions' demands but they continue what they have been always doing.

## **6.2 Recommendation 2: The Government**

The government of Bahrain, through the years, made numerous developments but was not skilful in communication with citizens and opposition. King Hamad's reform programme open up new challenge to the government. The boycotting of the parliamentary elections of October 2002 by the opposition was a disadvantage for the government. The government shows weak cooperation with the present parliament because of the lack of experience. The some of the MPs gave the governments member hard time in some occasion, but did not caused any damages. While, if the opposition were enrolled the situation would be worse. Therefore, the 2002 parliament was a good exercise arena for the government and to be ready for the 2006 one. There are several issues for the government of Bahrain to consider making the reform more successful:

- The executive power should cooperate with parliament in the provision of information. The executive branch is the major source of information for MPs and the more they can cooperate with it easily, the better will their legislative and monitoring performance will be. It should also help in responding to voters' needs and requests.
- Transport is expected to be a key challenge in the future. The forecasts are that in a few years from now, traffic will be nine times what it was in 2002, with the number of private vehicles increasing by 9% annually. To cope with this increase the government need, besides the planning of finding reliable public transportation, to think of making people work from their home through the E-government. As women already make up about 30% of the workforce in the country, it will be wise to make most of them work from home. Such a process will win the government several advantages:
  - ☞ Decrease the traffic.

- ☞ Win the Islamic extremists who are against women work and mixing genders.
  - ☞ Limit the expansion of government facilities that involve high cost and scarce land.
  - ☞ Keeping mothers or sisters close to their needy children and/or elders.
  - ☞ Decrease family expenditures (car fuel, clothes, makeup, etc.)
- Bahrain government need to put some public employees on retirement in order to allow younger, less expensive Bahrainis to fill their slots.
  - In Bahrain, not every one can be fullest “himself” and become everything that one is capable of becoming, because the government on unclassified measures recruits all potential leaders. Accordingly, the government should create profession criteria for the position of Directors, Undersecretary, Secretary, and Ministers. This step will encourage citizens to educate themselves to be qualified to these positions. Moreover, it will, somehow, ensure quality and fairness on the appointment process.
  - The government through all kind of media is required to educate citizens in other issues than politics. As the later is the new spread disease in the society. People every where, young and old, male or female, are talking politics. This disease is putting more anxiety in the government. Therefore, Bahrain TV the most affective media today could turn people mind to other field and profession and calm the society and relieve the government but not by bringing “Big Brother Show” that created more tension in the country. UK television for example is always bringing issues like drugs, alcohols, overweight, child abuse, sex, fun and pleasure programme, fun and intellectual contests, sports, and many social and economic problems rather than focusing on politics. In contrary, Bahrain television is so boring and indicates that there are no problems in Bahrain of any kind.

- The government of Bahrain ought to determine ways to reinforce laws and regulations. For instance, the Minister of Interior could organise a voluntary team from his ministry, BDF, NG, and few civilian to create a team of about 300 individuals to control the traffic violations when ever they are using their own cars any time during the day. The objective of the team is to reduce traffic violations and avoid deadly accidents that become very common in the street of Bahrain. The Minister should obtain the following steps:
  - ☞ Organise the team.
  - ☞ Name the team.
  - ☞ Make an ID for them.
  - ☞ Personally, he should explain clearly to them their task and the procedures of their duties.
  - ☞ Make them give an oath of honour to deliver their duty in full and without discrimination.
  - ☞ Sign them a disciplinary commitment form.
  - ☞ Take them to the King or the CP to give them words of encouragement and discipline and not to misuse their authority.
  - ☞ Provide them with portable police siren to be used for the chasing.
  - ☞ Change the vehicles registrations numbers by using for instance letters and number to avoid the present illness of distinguishing people by their registration number that avoid them the violation tickets.
  - ☞ Announce the idea and the task of the team in all media. Ask for full cooperation from citizens with the team.

Why the Team? Simply, reducing the expenditure of the mission and on the other hand, generate social unity and joint responsibilities. If the Ministry want to take over the task by itself it will cost million of Dinars on buying the vehicles, employing more staff, high cost of fuel, and many other expenditures. Overtime, people will be afraid of speeding and will by time gain the required self-discipline

- Put an end to citizens who hire expatriate labours with illegal work visas.
- Encourage and strengthen the field of technical and professional training and grants graduates adequate salaries.
- Encouraging the principal of free economy; invited external substantial capital inflows for investment; and big projects through the development of the law of ownership, which permitted foreign investors to buy and sell investment land in the Islands. Such a program will create economic development and offer employment opportunities to citizens. The process required a new public administration mindset, one that is oriented to a streamlined procedure, transparency, elimination of jurisdictional overlapping, improved services, and updated economic legislation within a framework of integrity and equal opportunity.
- Limit foreign investors on buying lands categorise as investment one rather the one categorise for living as this process has already heart the citizens by increasing the price of land to a level unbearable by the nationals.
- There are massive numbers of Mosques in the Kingdom. Millions of Dinars are spent in these mosques where the money of *Sadaqah Jaryah* could be spent on other project and have the same faith return.<sup>6</sup> Building school, libraries, shelter, sponsoring student for education, and many others social protection project could be more effective than building mosques. Excessive mosques could lead to disunity of the society. As in the old day people meet at mosques and find out about each other affairs and when someone did not show up then every one will go and ask about him.

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<sup>6</sup> *Sadaqah* (righteousness) is a voluntary giving of alms (as opposed to *Zakah* which is obligatory) to the needy. Building a mosque is an ordinary charity that fall under a *sadaqah Jarya* that secured a continuous blessing from God.

- There is an intangible illness spreading in Bahrain crystallise in the power of the Directors of the Ministers offices. They are containing excessive authority that make them decide who the minister should meet, what issues he report to him, and make people believe that what ever they want to be done by the minister could not happened without his conformation. In some cases, the director becomes more powerful than the minister himself. They are using all the authority towards their own benefits by focussing on becoming known to all internal and external VIPs, travelling with ministers (where as a director he should be available to run the office when the minister is away), and get all the personal benefits from the society. They are combining between the personal secretary of the minister and the director of his office, the two that should not be merged as they are at conflict. The government, therefore, should urgently look at this issue and find managerial means to limit their authorities and prevent it form spreading all over the offices.
  
- Boost the level of civilisation task in the government environment by preventing smoking in public and in government offices. There are several people (negative smokers) suffering from inhaling smoke in their offices and many public places and been victimise by those positive smokers. There is a law prohibiting smoking in the government organisations, but never been activated as most of the high ranks are smokers.

### **6.3 Recommendation 3: The Parliament**

A prerequisite for successful reform is to have a powerful parliament to carry out reforms. The most important aspects in developing Bahrain parliamentary action are the following domains:

- The power of the Chamber of Deputies in Bahrain needs to be expanded, strengthening its ability to oversee government acts. It has little if any control over the appointed governors of the five governorates. While these steps would stop short of the reinstitution of parliament and the constitution,

as demanded, it would provide greater experience in self-government and move the country towards a more liberal political system. Transparency towards society and giving power to MPs to represent the citizens.

- It is important for parliament to be able truly to exercise the rights and powers entrusted to it. In order to do so, the institution, its members and those who provide backup support, need to develop new capacities, new procedures and new working methods. It is important that parliament should be in a position to implement.
- Measures to be adopted to improve upon its functioning including its relations with the Executive.<sup>7</sup>
- All the processes of institutional development in Bahrain should link to one major issue: “How to make parliament a strong political institution.” They should concentrate on the following issues:<sup>8</sup>
  - ☞ The nature of electoral arrangements.
  - ☞ The relation between the legislative power and government and effect of political elites in power and political societies and influential groups on the efficiency of parliament and the nature of parliamentary committees.
  - ☞ The type of rules and listed regulations of parliament’s action as well as the extent of information provided to the MPs and the way it affects the role of parliament in its move towards liberalisation.
- A non-government research centres that act as centres of experience and are self financed or financed through the government itself.

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<sup>7</sup> Mr. Martin Chungong, “*The IPU’S Perspective on Parliamentary Reform*,” Officer-in-Charge, Programme for the Study and Promotion of Representative Institutions, Inter-Parliamentary Union, Geneva, 2003, p. 13.

<sup>8</sup> Karim Sayed, “*What to Reform? A platform for Parliamentary Reform*,” 2<sup>nd</sup> Annual Conference of the Parliamentary Program of the Faculty of Economics & Political Science, Cairo University, In cooperation with Konrad Adenauer Foundation in Egypt, July 2003, p. 28.

- MPs should be encouraged to visit world parliaments and the different international organisations.
- More attention should be giving to the youth parliament that has been established in 2005, to be as a ‘training tank’ for future MPs.
- Running for parliament happened to be very expensive for poor citizens to afford. Accordingly, the government of Bahrain have two choices of recommendations to empower the poor to participate in making decisions and policies affecting their daily lives:
  - ☞ Support few intellectual poor citizens to run for parliament.
  - ☞ Appoint some of them in the Consultative Council.

#### **6.4 Recommendation 4: The Opposition**

Oppositions in Bahrain should be very wise and team up with the King. They should use the space and authority given to them by the King and make the best of it and more authority will be amended. They should not challenge the situation and make sure that 1975’s experience does not be repeated. The opposition, therefore ought to consider the following:

- Collaborate with King Hamad initiatives and try not to make him lose interest and uses other ways of authority.
- Deepen participation in the political process.
- Cooperate with members of the parliament who seek to resolve the current situation.
- Strengthen relations with the government officials and the Crown Prince, who are able to improving the social and economic pressures that affect the community.

- Cooperate with the government through social NGOs on training the unemployed individuals and not to make it an issue and add tension to the situation.
- Promote non-violent activism and avoid threats of confrontation.
- Do not adopt the opposition movement as a career.

### **6.5 Recommendation 5: Education**

- Education is becoming more and more a fundamental security worry for the Arab world and GCC States in particular. The declared American strategy after 9/11 is to link education with international security issues and to focus on changing cultural and educational environment in order to transform minds, thoughts, and trends. In October 2002, the American Secretary of Defence, Donald Rumsfeld, requested the world to start political changes that focuses on “*War on thoughts, wining minds and hearts.*” He believed that beating terrorism could not be accomplished exclusively by military forces but with attacking thoughts that feed it too.
- Commonly, the education process becomes the most vital aspect that influences the shaping of values and principals that spread in the society whether they were unconstructive such as sectarianism, corruption, retardation, and despotism or constructive as the tolerance, freedom, and justice. Accordingly, Bahrain should restructure their educational curriculum to overcome the society’s illness of violence and extremism.<sup>9</sup>
- In Bahrain, as in other developing societies, the relationships between education and political socialisation and education and manpower must be jointly examined even though they exist on different planes. One must at the outset recognise the contradiction between these two essentially different

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<sup>9</sup> “*Tatweer manahj altaleem fe Dowal Al Majlis.*” Gulf Centre for Strategic Studies, London, 2003.

roles performed by the systems of education in developing societies. The school and the system of education must act as inculcators of particularistic values, especially in the realm of citizenship, yet they must also transmit a body of knowledge that reflects man's philosophical view of the universe and the universal values based on this conception.<sup>10</sup> To overcome such a dilemma, a national strategic plan set by a national committee, similar to the Supreme National Committee assigned to prepare the draft of the NAC, to develop citizenship values and belonging must be brought forward. To do so, it is necessary to explain what are a strategic plan and the national citizenship programme that would create loyal, educated, and responsible citizens capable of living a liberal society.

- The challenge today is to transform information into knowledge. With the extraordinary and rapid development of information technology, the present trend is towards the development of a knowledge management system, recognising that knowledge is a complex process, made up of information, expertise, experience, and intuition, meaning that knowledge is never final, and always evolving.
- The Bahrain's education system needs a massive shake-up to dramatically improve standards, learning by rote in favour of teaching pupils to think for themselves, to nurture students with 'total personality competence', and for students to move from being the consumers of ready-made knowledge to producers of knowledge. The project will also be based on the philosophy that education has an enormous responsibility to build patriotism and boost cultural values and public spirit.
- As illustrated in Chapter two, education in Bahrain is over 86 years old and people of Bahrain obtain education before anyone else in the Gulf States.

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<sup>10</sup> James S. Coleman, ed., "*Education and political Development*," Princeton University Press, 1965, Princeton, N. J., p. vi, vii.

Illiteracy rate is 2.7%, among the lowest in the Arab and Muslim countries. However, Bahrain is not using this low rate of illiteracy to its benefit. It continues to put the wrong people for high posts in the government sector. When unqualified individual take over a post not related to his specialty, then he becomes an illiterate. Such action is very common in Bahrain, therefore in reality the illiteracy rate is not 2.7 percent but literally higher from this concept.

- Bahrain has a well-developed state system of primary and secondary education and a state-supported university system. During the 1995–1997 periods, the state’s educational expenditures amounted to 4.4% of GDP; more recent figures are lacking. Experts complain that too much emphasis is placed on memorisation in the schools, and that critical thinking is not encouraged. Moreover, the increase numbers of foreign advisers in the government also indicate two things. First, it shows that the government still dose not trust the educational and experience maturity of Bahrainis citizens to be advisers and secondly, the people of high post are weak and depend fully on the foreign advisers that will not show their weakness in Bahrain societies.
- The International Labour Organisation criticised the Ministry of Education in 1995 for being too poorly organised to prepare young Bahrainis for their entrance into the job market. Since then, educational providers have been attracted from abroad to establish new institutions. New educational offerings are focused on information technology and technical occupations. It is too early to assess the quality of these measures. Unemployment among young people remains a problem with considerable explosive potential for the future, despite the effectiveness of private solidarity networks.
- Beside the enormous advantages of the increasing number of schools that almost cover every village in the kingdom, it has contributed on increasing

sectarianism. People are not mixing through all level of school. Shia and Sunnis are not integrated to exchange ideas and making friendship. The only place now in Bahrain for these young generations to come together is in universities after they already built up foundational sect beliefs for themselves. A solid national education programme and citizenship could overcome the phenomenon.

- The Ministry of Education developed the social subjects and citizenship building curriculum and representatives of the Ministry visited some Arab countries, the last visit being to the Arab Republic of Egypt in November 2004. The Ministry also requested several similar studies and curriculum from European countries. On the other hand, the University of Bahrain is currently developing the sociology, civics, and history curriculum and textbooks, and is organising related seminars. There may also be other institutions doing the same effort. All these are outstanding efforts emanating from the love of the homeland. However, the problem is that the individual efforts of the state will scatter the general concepts of the national education and the building of citizenship. The research, therefore, recommend as follows:

☞ **First:** formation of a higher national committee comprising members from all sectors of the state to conduct an in-depth study of this important issue, to be headed by Sheikh Salman, the Crown Prince, or else the Minister of Education, or the Board of Trustees of the Research and Studies Centre. Upon completion of the development of the necessary curriculum, the curriculum is to be presented to the parliament for review and subsequent referral to the Council of Ministers for approval.

☞ **Second:** activation of the national education and citizenship-building committees in the GCC states considering the common denominators,

identical values, regional affiliations, and neighbourhood ties that combine and bring them together. The committees involvement should not be limited to the government level because the “*Manama Declaration*” issued by the GCC Supreme Council in its ninth session headed by the King of Bahrain, made clear and reconfirmed, after presentation of the executive steps taken by the member states relative to the implementation of the Unified Economic Agreement and the positive results achieved in the form of the strong economic ties between the citizens of the GCC states and the establishment of a solid economic, cultural, and social base, the following “the comprehensive and integrated nature of the GCC' objectives in all fields and the need to realise further achievements in the Council's modus operandi, particularly in the social, cultural and information fields and achievement of equality in citizenship rights among the member states...etc.”

#### **6.6 Recommendation 6: Economy**

Bahrain needs to downsize its governmental role and allow the market to take over. To achieve economic growth, Bahrain must steer away from being government led to market led. It must move from the demand side to the supply side. Government's role should be limited to helping create conditions for businesses to flourish (supply side) rather than employing people (demand side). Government should stop employing people in ministries or state-owned companies. It should invest its oil money more wisely in ways that encourage Bahrainis to get out there and create wealth. Moreover, a smarter and better government is also needed.

Property rights and acquisition are well defined. Business formation and investment in the private economy are encouraged. However, the privatisation of existing state-owned companies has not made significant progress in the last few years, except for the liberalisation of the mobile phone market in May 2003.

The basic features of the economic system have remained unchanged. During the second half of the period there was a slight growth in the economy as a result of rising oil prices. Progress was made with the initiation and planning of new projects.

The “free visa” trade, which brings guest workers into the country in circumvention of official law, is a profitable business in which members of the elite are occupied. Until this practice is abolished, it is unlikely that there will be much change in the high rate of domestic unemployment.

#### **6.7 Recommendation 7: The West**

Moderate praise of Bahrain as a model of reform and urge the government to:

- Recognise that Bahrain is being progressive through King Hamad’s liberalising agenda and so encouragement rather than criticism would be the best way of further reforms being enacted.
- Jointly with Bahrain government try to solve the issue of poverty.

#### **6.8 Recommendation 8: The Zakah**

*Zakah* is one of those unique forms of worship that bring out both the individual and the social aspects of *ibadah* (worship). Consider its socio-political value: It frees society from the ill feelings arising out of class hatred. It opposes an individualism that is blind to the travails of one’s neighbours and stands against a socialism that shackles individual freedom. It fosters neither selfishness nor renunciation. It also strengthens a sense of brotherhood and establishes social cohesion.

*Zakah* means the giving of a specific share of one’s wealth and savings to persons or causes that Allah (God) mentions in the Quran. The normal share to be paid is two and a half percent of one’s saved earnings. This applies to cash, bank savings, and jewellery. The rate for cattle and agricultural produce is different. The Quran mentions *Zakah*, together with *Salah* (ritual Prayer), as a form of worship; and in that respect it differs from ordinary charity, which is optional, and from tax, which a government imposes from time to time at variable rates and for various uses. The

money from *Zakah* can be used only for specific purposes under fixed headings like helping the poor, the needy, to pay the salaries of those collecting it, to free captives and debtors, for travellers in need, to win over hearts and for the cause of Allah (God) (Quran at Taubah 9: 60)

The payment of *Zakah* is a way of purifying one's wealth. It saves one from greed and selfishness and encourages him to be truthful and God-fearing in his financial dealings. Another purpose is to help the poor and the needy and to assist other causes in the way of Allah (God). Muslims know that it is a profitable investment (and not a loss) to help the cause of Allah (God) because it will establish economic balance and social justice, and at the same time earn an immense reward in the Hereafter.

Therefore, the King, the government, the parliament, and Muslim citizens should jointly bring the system of *Zakah* to Bahrain by Law. They ought to do so to solve poverty as it is one of the key obstacles for the advancement of the reform process.

#### **6.9 Recommendation 9: How to Build Up Citizenship and the Responsible Citizen**

The aspirations of King Hamad and his fresh methodology as epitomised in his strategy, plans, blue prints, dialogues, public addresses and meetings with the various public sectors and popular national gatherings and his proposition of the NAC project for the promotion of political, economic and social life, all paved the way for zeroing in on the national education and upbringing to keep pace with his aspirations and hopes. Therefore, it is now the time to initiate the formulation of the strategic plans and curriculum through to resolve the deeply entrenched societal problems of factional, tribal and ethnic affiliation which has the upper hand on national affiliation and the social and territorial discrepancies which have aggravated the severity of secular, tribal and sectarian divisions in Bahrain and culminated in serious defaults and cracks in the concept of citizenship and which may be the key cause of the failure and frustration of all aspirations to a better future. Furthermore,

the process must not allow the material consumer progress and conspicuous behaviour grow in a way that would overcome the balanced thinking in favour of the homeland.

The best part of citizenship is acquired through education and training rather than from innate nature. The birth of a person in a special location is not enough to practice true citizenship, along with its rights and obligations. A person may be brought up and receive a cultural education that fosters his knowledge or a professional education that enables him to earn a living but if he does not receive along with them well-built citizenship education, his professional will always be unconstructive. Herbert Spencer defines national education as:

*If education is preparation for public life, then national education is preparation of the responsible citizen and hence it is part of the whole... and added the definition of the citizen by the homeland where he lives not only by its rules and regulations, but also by its traditions, norms, and customs is what we call national education.*<sup>11</sup>

It is therefore necessary now to draw up a national strategic plan that covers all aspects of the state and mobilises the sectors of the society, decision makers, investors, influential persons, and beneficiaries to maximise their roles in the development of the citizenship and affiliation values and taking advantage of the community's cultures for the benefit of this development. On the other hand, it needs to reconsider the social subjects, national education, history and the Arabic language curriculum and attempt to develop them in a way conducive to fostering national affiliation, blending, spiritual, and cultural openness, and consolidation of this curriculum to cover all educational and public cultural levels and standards.

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<sup>11</sup> Herbert Spencer, *The Man versus the State*, London, Williams & Norgate, 1884; with additional essays and an introduction by Albert Jay Nock, [adds "*From freedom to bondage*," and "*Over-legislation*"] Intro. A. J. Nock, Caldwell, ID, Caxton, 1940.

History too is one of the basic subjects, which can contribute to straightening the citizen if its contents are based on historical objectives and positions and cultural heritage and if it is expanded to cover all tribes and the outstanding dignitaries and pillars of the community, and not to limit it over the Al Khalifa tribe. History also contributes to the development of the educated people's sense of the responsibility for safeguarding the achievements of those who came before us and preserving and building on this development. It also makes members of the community aware of their rights and duties to their community and the significance of contributing to the resolution of the problems they face through either emotional sympathy or practical participation. History is, too, a source of wisdom for acquisition of good manners, teaching of politics and the acquisition of the ability to visualise, imagine, and contribute to the development of the responsible citizen. History lessons must be dedicated to develop the concepts of the love of the homeland, global peace, cooperation, understanding, and citizenship more than the concepts of war and bigotry.

On the other hand, the national education curriculum must provide for a method that fosters the growth of the character of the Bahraini individual as a good, producing, liberal, free and law abiding citizen, a true believer in the principles and imperatives of the homeland and a wholehearted contributor to the establishment of an highly developed, integrated and cohesive community in an environment where freedom, justice, democracy and equality prosper and prevail. Citizens must be provided with the information related to the general national issues and how to best take advantage thereof. On the Intellectual Level citizens should:

- Have faith in Bahrain as a homeland of freedom and liberalisation.
- Understand the constitution and knowledge of the governance system with its three authorities (Legislative, Executive, and Judicial).
- Know the role of media institutions and their impact on the formulation of the public opinion.
- Have education on his / her personal rights as a citizen.

- Understand the nature of the individual's relationship with the state and the other citizens.
- Have training on accurate rationalisation and thinking and the use of information in the country's best interests

On the other hand, on the Emotional or Social Level citizens ought to:

- Implant the love of, loyalty, and belonging to the homeland from early childhood.
- Be committed to his / her Islamic heritage and religion.
- Be committed to moral and ethical values.
- Respect of individual and collective freedom guaranteed by the constitution.
- Participate in the social and political initiatives.
- Be aware of the implications of the social problems, such as population density, water shortfall, and pollution.
- Be committed to have the public interest prevail over the personal interest.
- Participate in volunteer work.

#### 6.9.1 National Education Mediators

There are a number of vehicles and tools to boost and strengthen the feelings of citizenship, belonging, and loyalty in the individuals of the community. Anything that a person may rely on for education is considered an educational mediator including the following:

##### (1) The Family

The civil society which is composed of the commercial enterprises, volunteer organisations, NGO, educational institutions, clubs, the media and charitable societies relies in turn on the family which forms the most essential tool for the individual's cultural upbringing and acquisition of the skills that would enable citizens to live and survive in the larger community and through which the community's knowledge and values are communicated to the upcoming generations. Civics values start from the family, and the youth perception of the patriotism is

coloured by the beliefs and directives of the mother, father and older brothers and sisters. The family is the first homeland of the child and if he or she truly loves and faithfully belongs to it, this will subsequently have a great impact on his / her love for the homeland. The seed of patriotism starts to germinate here in the family.

The importance of this mediator comes from the fact that it covers the most important formative years of the national trends and convictions of the youth. This mediator will develop the political concepts and national values and ideals prevailing in the community, sustain the unity and cohesiveness among the citizens, and eliminate the ethnic, sectarian, tribal, and social class differences existing in the society.

#### (2) Mosques and Religious Societies

The mosques and religious societies do play an important role in the national education. Religious education is political education, too, because Islam is indeed both a religion and a state. The Holy Quran has covered all human and social ties as well as the traits that each Muslim must cultivate and which are part and parcel of the national education and the responsible citizen requirements (such as advocacy of goodness and prevention of vice, congregation etiquette, unity, adherence to the right path, cooperation, brotherhood, tolerance, pardon, truth, patience, chastity... etc). This mediator should contribute to the support of the religious values, which encourage and foster a united and cohesive community in the face of challenges. It also promotes the spirit of tolerance, love, and sacrifice during Friday congregation speeches and preaching which must deal with the community issues and public political affairs and lead the citizens to respect the law and the leaders in charge of the community.

#### (3) Clubs and Youth Centres

This mediator is believed to be a positive social forum where the citizens can exchange political information, opinions, and thoughts, and will consequently help in the formulation of political trends and convictions. On the other hand, it provides

experts and skills that would develop the spirit of liberalisation, deepen the national unity sentiments, respect for the other opinion, surrender to the views of the majority and adherence to its resolutions. The fact that this mediator embodies different categories of the community provides ample and rich opportunity to consolidate the bridges of communication, friendship, and love and constitutes a rich forum for the exchange of opinions and views that are likely to eliminate many of the causes of misunderstanding and differences, if any. It will also help to dissolve the feelings of sectarian, tribal, regional, and ethnic bigotry and intolerance. Similarly, the spirit of cooperation, cohesion, competition, and tolerance that characterises group sports and which the club promotes will grow, develop and migrate to the national teams and thus acquire a general characteristic that represents the solidarity and cooperation of the greater community, a token of the loftiest values of belonging and citizenship. (Include more information from Emile Book regarding this mediator)

#### (4) The Media

The role of the different media vehicles is very effective in the development of patriotism and the building of the responsible citizen through well-planned presentations of TV and radio programs and press articles. This mediator propagates the various values of the Bahraini society, the love of the family, community, and the land, through highlighting the historical and cultural entity and heritage of the state, the national issues, social dilemmas and the citizen's role in resolving them. Their role must also be channelled to educating the citizens and encouraging them to engage in volunteer initiatives and common activities considering their importance to the stability of the country. The media should also highlight the efforts of all organs and institutions of the state in the service of the citizens.

Therefore, a careful strategic plane for the media, especially the one the government control, must be established to create unity in the society and support the reform progress. In fact, Bahrain TV did not contribute in the reform process in a wisdom broadcast. It has continued to focus mainly on Royal events on its programme without showing the role of other citizens in the progress of the reform or the history.

Table 6.1 below depicts the strategic chart for activation of the various educational institutions and projecting their role in promoting the building of responsible citizenship and loyalty and belonging to the homeland.

*Table 6.1: The Role of Educational Institutions*

<b>Ser.</b>	<b>Educational Institutions</b>	<b>Action to be taken</b>
1	Ministry of Education	New curricula of national education, history, and Arabic language for all educational levels: kindergartens, schools, Universities, and institutes for learning the following: The homeland and its history, government, culture, custom traditions, ambitions, aspirations, various problems, critic thinking, voluntary work, Discipline, and tolerance.
2	Ministry of Information	Highlight the historical and cultural special identity, Government's goals and aspirations, Highlight social problems, Participation of citizens in training on constructive criticism, Freedom of expression
3	Armed Forces	Respect of human rights, Setting pacesetters in dedication, bravery, self-sacrifice, integrity, and self-denial.
4	Ministry of Foreign affairs	Monitoring citizens receiving education overseas, providing them with national principles and Islamic ethics, and protecting their interests.
5	Family	Love, Respect, Islam, Arabic language, Responsibility, Self-reliance, Confidence, Consideration of others, Respect of the law, Self-discipline, Dedication to work
6	Mosques	Prayers, Islamic ethics, Arabic language, Responsibility, Islamic scholars, Integrity, Patience, Consideration of others, Respect of the law, Self-discipline, Dedication to work
7	Clubs & youth centres	Co-operation, Teamwork spirit, Loyalty, Consideration of others, Punctuality, Voluntary work, Dedication to work
8	Societies	Co-operation, Teamwork spirit, Loyalty, Consideration of others, Punctuality Voluntary work, Dedication to work

#### (5) The Government and Private Institutions

Each individual is born to be a citizen, but the state organs are in a position to transform him/her into a good and responsible citizen. This sector is considered the executive arm of the King's policies and strategies, by reflecting the King's aspirations through work plans that boost this relationship between the citizen and his community on the one hand and the citizen and the state and the nation on the other hand. Moreover, this sector explains each party's rights and obligations to the others, achievement of social justice and equality, control of administrative corruption, prevalence of peace, equal opportunity to achieve patriotism, belonging and loyalty so that the interests of the community and the nation may prevail over personal interests. Such plans to ensure realisation of the national strategy will include:

- Development of the national education curriculum
- Development of the national history curriculum and highlighting the roles of the pioneers, both males and females.
- Formulation of programs for sponsored students on scholarships abroad to continually link them to the homeland.
- Training and education of judges to ensure fair and speedy procedures
- Training and education of religious men (imams, preachers... etc)
- Highlighting of the historical and cultural heritage and identity of Bahrain through the various media.
- Paying attention to the social problems and issues of the country.
- Consolidation of the role of the volunteering initiative
- Provision of medical treatment and health education
- Provision of education opportunity to all citizens
- Provision of appropriate housing.
- Provision of aid to needy families
- Guarantee of appropriate jobs and minimum wage or income for the citizens.
- Respect of human rights
- Consolidation of the citizen's confidence in the armed forces and highlighting the importance of their roles

- Rewarding of the faithful, creative, and penalisation of the delinquent.
- Appointing the right person for the right position.

The more the citizen is solidly aware of the keen desire of the state organs and institutions to provide him and his family members with a decent life as well as with employment opportunities, treatment and basic service, the more the citizen will be anxious to discharge his patriotic duties to his country and demonstrate his loyalty and preparedness to defend it when the need arises.

#### (6) Citizens

Each citizen must be aware that his role in citizenship and progress is no less important or great than that of the government and its institutions. The feelings of the love and adoration for the homeland must not stop at the mere expressions and words. It should be translated into good deeds that serve the public interest over the personal interest, that he/she must contribute to the resolution of the state problems, create constructive foundations within their family that must embrace the honourable values and ethics of the religion as well as the customs and traditions of the country.

The citizen can also mirror the feelings of love, loyalty and good citizenship by showing respect to the rules and regulations, by participating in enforcing them, by reflecting this attitude in his dealings with the others, by respecting the other opinion and liberating himself from mediocre personal whims as shown in the attitudes indicative of:

- Self-focus (egotism)
- Impotence in confronting problems and difficulties
- Accusing others of failure and default
- Rejection of development
- Rejection of the other opinion

Citizenship and patriotism need practical behaviour through which the individual expresses the feelings and sentiments they harbours for the country. The love of the

homeland must take the shape of ongoing and everlasting endeavour for its development and progress. The skills that any citizen must acquire include:

- Critical thinking skills
- Effective participation in the political life (elections) skills
- Social service and volunteer work skills
- Group work skills

Many specialists and experts in the field of patriotism and citizenship have identified the major characteristics on which the effective patriotism rests. Dynneson has summarised these characteristics as follow:<sup>12</sup>

- Knowledge of contemporary events
- Involvement in community affairs
- Acceptance of liability
- consideration to other peoples' affairs
- Compliance with the rules of immaculate behaviour and ethics
- Acceptance and obedience of those in authority (the rulers)
- Ability to air and discuss opinions and views.
- Ability to take the right decision.
- Knowledge of the state systems, laws, and regulations.
- Patriotism (love of the homeland)

The King has provided Bahrain with the fertile soil from which all citizens can quietly proceed with the modernisation drive in utmost social grace and cohesion based on spontaneous confidence, which will make them trust each other like they candidly and unconditionally trust the physician. People are confident that the physician will not deliberately set out to hurt them because they expect him to abide by the Hippocratic Oath and the standards of the profession of medicine. So, how can they do not have confidence in their King who made a pledge to his people to promote them and guarantee their security and welfare?

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<sup>12</sup> Thomas L. Dynneson, "*Civism: Cultivating Citizenship in European History*," Jan 2002.

## 6.9.2 Proposed Methodology of the National Education and Building of Citizenship

The following is a broad proposed curriculum for the National Education and Building of Citizenship in Bahrain:

### **Chapter One**

The Concept of Citizenship

Characteristics of Effective Citizenship

The Responsible Citizen

National Education Tools and Media

National Security (Military, Economic, Social)

Social Service

Military Service

Civilisation

Philosophy

### **Chapter Two**

Rulers of Bahrain across the Ages

King Hamad CV

Pages from the First Book of Light

Bahrain Pioneers

### **Chapter Three**

The Constitution of the Kingdom of Bahrain

The Three Powers (Legislative, Executive, Judicial)

The National Act Charter of the Kingdom Of Bahrain

Parliamentary Life

The Foundations of Bahrain Liberalisation, Not the Western Democracy

Government Institutions

The Resources of the State

The Social Composition of Bahraini Society

Role of the Armed Forces in Preserving the Kingdom's Security and Stability

## **Chapter Four**

Islam, a State, and a Religion

The Role of Islam in the Clarification of the Citizens' Rights and Liberties

The Most Significant Islamic Personalities

Islam and Woman

## **Chapter Five**

Bahrain and the World Map

Bahrain and the Progress of the GCC

Bahrain and the World

Bahrain and the United Nations

The Importance of Entire Global Economic Integration in the Light of International Contemporary Changes and Upheavals

Human Rights

International Agreements and Conventions (Economic, Political and Social)

## **Chapter Six**

The Most Important Islamic Wars

The Case of Hawar Islands

The National Movement in Bahrain

The Arab Israeli Dispute

Historical Foreign Ambitions in Bahrain

Analysis of the Leadership Personality in the Leaders of Historical Wars

In the light of the proposed curriculum for the national education subject, it is important to satisfy and meet the scientific control requirements to help in the identification of the material suited for each classroom, what should be taught in a certain stage to begin with and the level at which it should terminate, and what should continue in more than one class room or educational level. The proposed curriculum also calls for standardisation, unique teaching methodology, select material and focus on practical applications and volunteer works so that the output

will be a student or a graduate whom we expect to have mastered the following skills:

- Sense of loyalty and belonging
- Adherence to ethical and virtuous traits
- Recognition and appreciation of the state's effort to develop the country
- Full awareness of the social, economic, and political problems and difficulties.
- Attention to the environment.
- Rejection of social discrimination
- Rejection of violence and extremism
- Knowledge of the public rights, liberties and duties
- Ability of critical thinking
- Building of leadership personality
- Cooperation and participation in the decision making process
- Participation in problem solving
- The consequences of disrespect for the laws and regulations on the individual and the community
- Ability form allowing the material and consumer progress and conspicuous behaviour to prevail over balanced mature thinking
- Peaceful co-existence with all members of the community
- Tolerance
- Ability to gather data and draft research papers and articles
- Ambition of reading books, newspapers and journals
- The arts of managing debates and discussions
- The art of toast mastering and public speech
- Ability to apply the principles of democracy in dealing with others

### 6.9.3 How to Develop the Virtues of Civics in the Military Sector

Many countries which embraced national education sciences and democratic systems have been confronted with several problems in applying their problems to the military sectors because of the incompatibility of military methods and

regulations with the concepts of democracy and civics. The military systems are based on the independence of opinion, criticism, and accountability in favour of decision centralisation on the pretext of the leader's inspiration, wisdom, and infallibility.

King Hamad's citizenship transcends all that to include the military sector which has thwarted many of the attempts by the other countries which adopted the initiative of building citizenship and the responsible citizen because some of the major intentions of the military sector do conflict with the process of building the citizenship and democracy. However, the King, with his own waviness, made the military forces contribute to the building process and participate in achieving his cultural virgin expectations without upsetting their main missions.

However, if we take into consideration the fundamental characteristics and character traits that each military must acquire, we will not face any difficulty in the application of the concepts of democracy and civics, which include:

- Sacrifice for the homeland and the citizens
- Belonging and affiliation to the homeland
- Obedience and loyalty
- Cohesion
- Group endeavour
- The art of leadership
- Respect for the laws and regulations
- And the other characteristics that are considered the foundation and bed rock of national education

If the military sector adopts these strategies and inculcated them in its personnel and have them followed based on innate conviction, rather than on sporting the military uniform only, it would have achieved a high level of national education. if the military sector in the developing countries is the main source of technological and scientific progress and inventions, we can excel in the administrative and pedagogic

field because we are consumer countries and thus become an example to be emulated by the individuals of the civilian society as well as consolidate the ambitions of the King by injecting the civilian sector with highly qualified military elements with total loyalty to the nation and the King.

We must also focus on having the personnel of the armed forces acquire good ethics and morals when they mix with the civilian society, such as good appearance, ideal driving habits, compliance with the civilian systems and codes, providing assistance to the needy, refraining from dumping trash on the streets, cultivation of the habit of reading, respect for the rights of others, fostering the spirit of love, cooperation and camaraderie while dealing with the civilians.

#### 6.9.4 How the Armed Forces can contribute to the Evolution of the National Education and the Good Citizen

The armed forces can contribute through the following actions and procedures:

- Highlight their role in reassuring and sustaining the security of the community and the homeland through the media (TV, radio, newspapers and magazines).
- While the military are allowed to vote, they must be protected against total identification with the plans and intentions of their representatives. The military must not be left under their influence of matters that may be in conflict with their lofty duty of protecting the nation and the King. The examples of incentives will include:
  - ☞ Pay raise to meet their basic requirements.
  - ☞ Cancellation of customs duties on cars.
  - ☞ Provision of shaded parking for their cars.
  - ☞ Granting personal loans to those who need them.
  - ☞ Provision of suitable housing.
  - ☞ Any other incentives and services that will make them appreciative of the military service.
- Appreciation, recognition, and development of creative initiatives.

- Highlighting their role in teaching the sons of the nations in the various universities of the world.
- Highlighting the role of the medical services and the sophisticated semi free medical care, they provide.
- Highlighting their role in crisis and disaster management and the potential support, they will give to the civilian society in such circumstances.
- Conservation of the environment.
- Assistance to needy families.
- Cleaning up of the beaches and villages.
- Establishment of national investment projects such as fisheries farms.
- Participation with the educational institutions in teaching and research.
- Organisation of summer courses for civilian student to teach them the fundamentals of military service, such as discipline, cooperation, physical fitness... etc.
- Initiation of charitable projects (construction of a mosque, school... etc).
- Respect for human rights when dealing with people accused in cases.
- Setting an example of dedication, courage, sacrifice, loyalty, and self-denial.
- Upgrading the standards of training and education to develop and enhance job performance.
- Participation by the armed forces personnel in the sophisticated upbringing of their children to excel in their studies and acquire physical fitness based on the ethical values derived from religion.
- Encouragement of the military to participate in societies and convey a favourable image of the military, their skills, and capabilities.
- Participation in sports clubs within the civilian associations to mitigate the sensitivity of the relationship between the military and the civilians and encourage camaraderie between them.
- Encouragement of volunteering initiatives.
- Amendment of the regulations and laws to better suit the upcoming stage.

Hence, the armed forces must formulate a strategic plan derived from the supreme commander's plan, covering the acceptance of change, development of creative potentials, and not allow the armed forces established by the supreme commander frustrate the hopes and aspirations for the building of a new future for Bahrain as did happen in many countries. This means that the armed forces must assume an effective role in the civilian endeavour and the construction of the new and modern state, besides the basic duties assigned to them.

#### 6.9.5 Results and Findings

The following are the most important conclusions we reach from the discussion of the concept of citizenship and building the responsible citizen:

- Establishment of a national centralised administration to be responsible for the development and monitoring of citizenship character across all levels of the state.
- The civics and national education must be one of the important imperatives of the efforts of the social education institutions.
- Focus on the local concept (state) of the citizenship and due observance of its global implications.
- Focus by the character building media on fostering affiliation, loyalty, and accountability.
- Inculcation of the Islamic faith and true Arabic values in the citizen.
- Development of a standardised curriculum for the national education subject to be taught according to the needs of the various educational levels.
- Re-evaluation of the history curriculum in the light of modern citizenship dimensions and repercussions.
- Development of teacher training programs and teaching methodology in the light of the new citizenship concept.
- Fortification of the citizenship values against the impacts of globalisation values.
- Due attention to the media and culture which will have a greater role in highlighting and projecting the historical and cultural identity of Bahrain, as

well as the national issues and social problems and the citizen's role in resolving them.

- Attempts should be made to identify the causes leading to low civics standards, such as unemployment, the housing crisis, low living standards, appearance of class differences in the community, lack of political and economic stability, absence of freedom of expression.
- Activation of educational research in the concepts of citizenship and the best approaches to develop it within the family and the school.
- Launching of educational campaigns for the mothers on how to raise good and well-adjusted generations.
- Encouragement of volunteering initiatives and launching of awareness campaigns.
- Support for needy families by using scientific and social methods to make them progressively producing until they attain self-sufficiency.
- Paying due attention to sports as a field of educational investment that consolidates the piles of affiliation and citizenship.
- Accommodation of critique curriculum in human studies, such as criticism of racism and discrimination in all their forms, critique of superstitious and mythical mentality, interpretation of irrational behaviour... etc.
- Translation of the civics textbooks into most languages of the expatriate communities living in Bahrain so that they may understand the basic objectives of the citizenship concept and not to impede the progress.
- Attempts to discourage material and consumer progress and conspicuous behaviour to prevail over balanced thinking.

## **6.10 CONCLUSION**

The King has established the foundations of the national education and building of patriotism and has set forth a fresh page in the history of Bahrain. The onus for this is on the King himself to monitor closely the implementation of reforms and to intervene directly when the pace of implementation has slowed.

The people of Bahrain can use this as a launching pad to complete and see the journey through if they can understand the objectives and aspirations of their leader and if all government, private institutions and the citizen themselves contributed to it. In essence, the central recommendation which is required as a first step to provide security and also enable further stable reform is the development of a sophisticated and achievable citizenship programme. Here, the key to achieving this is through a national education programme.

Each individual is born to be a citizen, but the state organs are in a position to transform him/her into a good and responsible citizen. This sector is considered the executive arm of the King's policies and strategies, by reflecting the King's aspirations through work plans that boost this relationship between the citizen and his community on the one hand and the citizen and the state and the nation on the other hand. Educational bodies are a key ingredient in this mix.

Generations should be educated now in school on how to become effective citizens. Ignite their imagination to renew the vision of the past and adapt it to the awesome challenges and opportunities of the 21<sup>st</sup> century. Engage them in the improvement of their community, nation, and the world. Let us resolve to promote a revitalised citizenship education and empower youth to create a positive vision for the future and to participate in its manifestation.

Bahrain could not advance forward if it will not look out for weakness of the individual that was created by the previous political system, because he becomes loyal to individuals and not the country, selfish, egotism, aggressive behaviour towards group, various forms of extremism, and weakness of the moral fabric of the society. Accordingly, any strategic plan for advancement and educating people for the new environment must start attacking those issues considered as critical ones.

## **Chapter VII**

### **Conclusions**

This research study into Bahrain's new era of reforms has underlined the interpretation that a new departure from the political order of the past has taken place and is a genuine product of elite driven reform. The reforms predated the initial post 9/11 international context which saw political reform at the heart of the Bush administration's grand strategy. All these changes underline that they were born domestically rather than reactively from external pressure on this issue which epitomised the era of the War on Terror. The initial years after King Hamad's succession to the throne can be understood as a historic period of upheaval and a fundamental reordering of the political order of Bahrain. Its importance should not be underestimated as such reforms have begun Bahrain's journey into a new era which holds a true promise of optimism that crosscuts age old sectarian divides. Whilst progressive and identifiable changes have taken place, the thesis has also provided a detailed contextualisation of the actual character of the reforms by evaluating them against the challenges which remain inherent in the Bahraini political system. This has also allowed recommendations to be posed to enhance the policy relevance of this thesis. Together, these features allow this thesis to fill a void in the existing literature on Bahrain and make an original scholarly contribution. What follows in this chapter will be a revisiting of the thesis and some concluding observations on the overall original contribution of the study to scholarship in this field. It will also seek to identify further areas for scholarship from which this thesis has shown would allow for a yet greater understanding of the political processes within the Kingdom of Bahrain.

As has been shown, Bahrain has existed for more than two hundred years under the Al Khalifa clan. The Sunni Al Khalifa family took over Bahrain in 1783. Prior to King Hamad's reign, Bahrain suffered from clear problems in several key areas. The country showed a level of socio-political division which was laced with inequality that caused the longstanding unruly and violent unrest. This was exhibited in the 1994-1999 period but also occurred in 1921, 1938, 1953-1956, 1965, and in a more limited situation, in the early 1970s and the early 1980s.

Since its independence in 1971, Bahrain has attempted to reform its political system and, by 1973, had its own constitution which guaranteed legislative powers to the elected members of parliament. This reform process ultimately failed given the manner in which Bahrain's sectarian character and adoption of a liberalisation agenda threatened the position of the ruling family. Although the government suspended the National Assembly in 1975, it was a period in which economic growth continued. Nevertheless, political development effectively ground to a halt until the new era under question in this thesis came into being. This underlines the importance of this period of reform under King Hamad. Under the rule of Amir Isa bin Salman, its policy can be generally characterised as desiring to maintain and develop within the status quo – a policy typical of some of the other GCC states at that time. However, the regional context of the Iran Iraq war further inflamed the Sunnis and Shia identity within Bahrain which came to dominate the internal security priorities of the country. This was further compounded by the well documented Iranian sponsored coup attempted in 1981.

The other contextual feature which this thesis has shown is critical to understanding the political process in Bahrain is the tension inside the ruling family between the older conservative bloc and the younger new generations whom can be understood as the pragmatists. The youngest generation is mainly integrated into the process of globalisation and is pushing hard to promote a liberal age. King Hamad and Crown Prince Salman are typical of this new and progressive mindset. Meanwhile, the older conservative bloc still perceives the world according to a black and white Cold War mindset which seeks to continue rule through the old traditional system. Nevertheless, in the case of Bahrain, it is economic factors that undercut all of these factors and remain the historical cause of political grievances and insecurity.

In terms of the substance of the reforms, this thesis can conclude that the reforms have been far reaching in political and legislative spheres but they have also reconstituted the traditional social contract towards countering the dissatisfaction that existed under the old order of Amir Isa bin Salman. The King's pledge to revive the

liberalisation experiment in the Kingdom underscores an awareness of the popular basis of monarchic authority. The design of the National Action Charter, the debates around it, the nature of its introduction, and the implementation of its recommendations mark the first successful top-down execution of wide-ranging political reforms in the GCC. In this case, “the leader is himself the revolutionary agent, rather than the protector of the status quo and of so-called ‘conservative values’.”<sup>1</sup>

King Hamad has brought many changes to Bahrain since coming to power after his father’s death on 6 March 1999. His steps are a welcome series of moves that are long overdue. They hold the real promise of reconciliation, of breaking a very long cycle of mistrust between the government and the people, and also between various sectors of the population whose mistrust has turned to, at times, violent opposition. At the same time, the moves made so far are merely preliminary and may be essentially characterised as promises for future substantive changes. They may well be necessary first steps, but they tackle only one part of a major set of problems and challenges facing Bahrain today and in the future. The changes to the 1973 version of the constitution of Bahrain under King Hamad are instructive. The adoption of a bicameral structure as opposed to a unicameral one that existed in the 1973 constitution indicates that the reform to the political sphere can be understood as a gradualist liberalisation process. Given the broad context of Bahrain’s political history, especially the unruly opposition and sectarian character, reform is bringing Bahrain into a new era which is seen by some as a threat to the status quo. It is possible to conclude that King Hamad is having to carefully navigating and compromise between those who seek maintenance of the historical political situation and those pragmatists who believe security can only be achieved in the long-term through dealing with these challenges. Amongst other factors, King Hamad is seeking to maintain the Al Khalifa dynasty for the future and so it is not unreasonable for him to proceed with caution and at a gradual pace. This however

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<sup>1</sup> Anoushiravan Ehteshami, “*Reform from above: the politics of participation in the oil monarchies*,” *International Affairs* Volume 79, Number 1, January 2003, p. 66.

does not detract from the actual significance and substance of the reforms enacted thus far.

Perhaps the greatest obstacle to further liberalisation is the opposition's own lack of common purpose. The opposition agree that there ought to be a parliament, and they cooperated in demanding a resumption of parliamentary life after the suspension of the Assembly in 1973. But that is about the extent of their common programme. They have certainly not cooperated much in recent years to further trim the power of the government. Given the character of the reform process being partly geared towards ensuring the traditional rule of the Al Khalifa dynasty, it is important for the opposition to recognise that challenging the King and the very concept of rule by the Al Khalifa will only undermine the prospect of future reforms actually being undertaken. Indeed, given the need for King Hamad having to operate within a tribal structure, he has to work hard to overcome and persuade the powerful conservative elements in the ruling family. It is possible to conclude here that the future pace of reform has a great deal to do with the opposition: it needs to realise that only by supporting and encouraging the King's initiatives whilst being mindful not to be seen as a threat through demonstrations and radical rhetoric, may the King overcome the reluctance typical amongst the conservatives to implement yet more reforms.

The constitution shows that the power is concentrated in the executive arm of the government, and in particular with the head of state. The reforms can be understood as a controlled liberalisation in several spheres but have not extending to the actual powerbase of the monarchy. Indeed, the textual analysis of the constitution shows that the reforms have not taken away the powers of the head of state when compared to the situation prior the adoption of the amended constitution in 2002. What can be concluded from this analysis, and indeed from the critical discourse analysis of the speeches of the King, is that there is uncertainty as to what the final political structure of Bahrain should be. This tells us that Bahrain has an elite driven and

controlled reform process that is liberalising in character but not at the expense of the power enjoyed by the ruling elite.

After discussing the reform, one can be sure that King Hamad's reforms are way from democratisation. Democracy means a form of government in which, in contrast to monarchies and aristocracies, the people rule. Democracy entails a political community in which there is some form of political equality among the people and rule by the people.<sup>2</sup> All the steps provided and implemented could only be described as liberalisation practices. What can be concluded from the parliamentary and legislative restructuring is that a blueprint for the future political system in Bahrain has come into being. It is likely to be an initial blueprint as changes will understandably take place. However, it is informative in that it gives an indication that Bahrain is moving towards a more liberalised political system and one where there is a greater separation of powers between the three arms of government. This point in particular is very important and has been illustrated in chapter three through the comparative analysis of the Bahrain's systems before and after the new reforms.

Furthermore, it is telling that the liberalised environment is already beginning to show tangible results. The number of NGOs, both political and social, operating in Bahrain has risen markedly under King Hamad when compared to the old system. One can infer from this that the King is seeking to promote a new political culture and political arena for civil society which ideally will receive backing from a unified responsible citizenry. Here the development of citizenship will be key element to future success. Indeed, it is possible to speculate that this top down reform process is aiming to promote changes at the very base of society, not necessarily so it becomes a driver of reforms, but so the benefits of the new reforms can be felt by a cross section of society.

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<sup>2</sup> Ibid.

The new reforms in the social, economic, and human rights issues are further evidence of the revolutionary character in which King Hamad has steered Bahrain. The reforms show a clear understanding of the domestic problems facing Bahrain's society and also the potential threat this could pose to stability. The initial reform initiatives discussed show the pragmatism of the young King: it was an undertaking geared towards fostering national consensus behind his liberalisation programme.

King Hamad has brought drastic and unexpected changes took place in the Kingdom. Royal pardons were granted to political detainees and exiles, women were given the right to vote and run for parliament, free speech, and free media also became the norm amongst several others. The key interpretations that can be made from the analysis contained in chapter 4 is that the major substance of King Hamad's reforms concern a progressive liberalising of the economic and social spheres whilst also taking into account key human rights concerns. These changes at civil society level are not necessarily a democratisation initiative, but such progressive liberalisation most likely will foster the development of a healthier socio-political culture that makes an eventual move towards democracy more likely. In other words the King has planted the seeds for reform that eventually may grow into a political system that caters for all of its citizens with respect, equality, and justice.

Despite the reform initiatives being progressive, the thesis was able to highlight in chapter 5 that genuine challenges still remained. It became clear that despite it being an elite driven process, there was a general lack up 'follow-up' by the elites on what has been done. There is a need for the King to go beyond setting a strategic vision and actually check on the specific details of what has or has not been implemented. Whilst this is undoubtedly time consuming, changing the culture and system of government in Bahrain is unlikely to be realised unless the ruling elite actually adopt this. This is all the more important as a reform process being driven by the elites cannot simply rely on the government to enact a strategic vision when it is but one feature of what the King seeks to reform. In other words, there is a need for the

King and Crown Prince to take a direct and proactive role in the implementation of the reforms at a detailed rather than just only a strategic level.

In fact, the government is not taking serious steps to encounter equality of opportunity for citizens, social justice, citizen to work and to choose the type of work, guarantees the provision of job opportunities for its citizens, and to prevent poverty, as the numbers of citizen in the range of poverty are increasing.<sup>3</sup> Although more freedoms have been enacted to civil society through the liberal aspects of the constitution amongst others, the implementation process has been identified as a clear challenge which brings into question the substance of the reform process. Examples include the equality which is guaranteed in the constitution: the question of Bahraini Shia and certain Sunni tribes being not accepted into the military is a prime example of discrimination which, for many observers, underlines that the rights guaranteed in the constitution are not fulfilled in practice. Privileges enjoyed by the elites are yet a further example of inequality and discrimination which goes against the very rights on equality that is enshrined in the constitution. However, it is important to realise the caveat that given this thesis focusing on the immediate period of the unveiling of the reform process, it is understandable that it may take some time for the system to adjust to the new reality. Therefore, the question of implementation would be an area for future research as a long-term retrospective study will allow for a valid interpretation to be formulated.

Many obstacles stand in the way of any further movement toward reform. First, the ruling family will not lightly give up its control of the ministries of sovereignty, nor is it likely to allow the parliament to decide which Al Khalifa sheikhs get which posts. These are core prerogative of the family, tied directly to its internal balance of power and to its method of resolving internal disputes. Second, while there is a strong desire for more democracy in some quarters, the ruling family enjoys real

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<sup>3</sup> United Nations Development Programme, "*The Arab Human Development Report 2004*," National Press, Amman, Jordan. See also "Poverty in Bahrain," Documentary, Bahrain Center for Human Rights, [www.bchr.net](http://www.bchr.net).

legitimacy. The 2002 Constitution, calls for a parliament but also grants the executive branch a major role in country.

Overall, some questions, though, still remain: whether reform can be pushed from above and whether the intervention of the King reinforces the sense of an arbitrary process of rule. The government's strategy, consisting in a mixture of control, co-opting and political bargaining, has undermined the autonomy of the interest groups and has frequently caused leading figures to give in. Civic organisations demonstrate great willingness to engage in cooperative bargaining. Bahrain is playing a war of attrition. It is wearing away its resources in winning loyalty.

Shia have supported liberalisation of the system since the 1920s. Disappointment with the limited role of the new institutions and with a series of royal decrees has shattered a short-lived faith in the government's capacity for liberalisation. While the civic-organisational dynamic takes a progressive course, a decline in "liberalisation enthusiasm" is becoming apparent. Many opposition regard the new institutions as a means for stabilising the ruling family under a new look. Whatever their beliefs, the opposition should be wiser and use the good faith of the uniqueness character of King Hamad for their future. They should not forget the fact that the King, as modernist, was raised up as a tribal man, and could easily return to his dynasty ruling technique. The opposition should work together with the King and win his support for better future to their sects.

With its plans for reform, the new political elite in Bahrain have demonstrated a certain flexibility and capacity to learn. But public discussion of mistakes or perceived problems remains, to some extent, prohibited, and this could limit the political actors' ability to learn. Although the government has sufficient political authority to implement reforms, it appears to lack the will to overcome ingrained habits in forming policy. Here the onus is on the elites to not only deliver the vision, but also to ensure it is implemented. However, one can be optimistic for the future of Bahrain as the King's agenda holds the promise of a new system being adopted

which addresses the pressing social, political, and economic problems that exist within Bahrain. Indeed, the lesson that can be learned from Bahrain for the wider Gulf region is that over time and after the gradual depletion of oil revenue, a need for political change to keep check with the political appetite of the people in a post-oil political economy will become the norm. Full parliamentary democracy in GCC states will not be achieved any time soon. But the parliamentary life that is underway in Kuwait, and on the way in Bahrain, Oman, and Qatar, should not be dismissed lightly. Here, neighbouring states can learn from Bahrain that a failure to adopt a long term political development strategy is the key obstacle to the realisation of a rapid reform process. In other words, reform should be enacted as a long term pragmatic vision and not left to when a national security crisis is being faced. Fortunately Bahrain has not reached a crisis point and King Hamad is acting with long term pragmatism. This is a lesson neighbouring states should learn if they are to be also ruled with vision, wisdom and courage.

## **APPENDICES**

# Appendix 1

## Comparison between the amended constitution of 2002 and the 1973 one.

The Constitution of 14 February 2002	The Constitution of 6 December 1973
<p><b>Chapter I The State</b></p> <p><b>Article 1 [Sovereignty, Constitutional Monarchy]</b></p> <p>a. The <b>Kingdom</b> of Bahrain is a fully sovereign, independent Islamic Arab State whose population is part of the Arab nation and whose territory is part of the great Arab homeland. Its sovereignty may not be assigned or any of its territory abandoned.</p> <p>b. The regime of the Kingdom of Bahrain is that of <b>a hereditary constitutional monarchy</b>, which has been handed down by the late Sheikh <i>Isa bin Salman Al Khalifa</i> to his eldest son Sheikh <i>Hamad bin Isa Al Khalifa</i>, the King. Thenceforward it will pass to his eldest son, one generation after another, unless the King in his lifetime appoints a son other than his eldest son as successor, in accordance with the provisions of the Decree on inheritance stated in the following clause.</p> <p>c. All provisions governing inheritance are regulated by a special Royal Decree that will have a constitutional character, and which can only be amended under the provisions of Article <u>120</u> of the Constitution.</p> <p>d. The system of government in the Kingdom of Bahrain is <b>democratic</b>, sovereignty being in the hands of the people, the source of all powers. Sovereignty shall be exercised in the manner stated in this Constitution.</p> <p>e. Citizens, <b>both men and women</b>, are entitled to participate in public affairs and may enjoy political rights, including the right to vote <b>and to stand for elections</b>, in accordance with this</p>	<p><b>Part One The State</b></p> <p><b>Article 1 [Islamic State]</b></p> <p>(a) Bahrain is an Arab Islamic <b>State</b>, independent and fully sovereign, and its people are part of the Arab nation. Neither its sovereignty nor any part of its territory shall be relinquished.</p> <p>(b) The rule of Bahrain shall be <b>hereditary</b>, the succession to which shall be transmitted from His Highness Sheikh Isa bin Salman Al Khalifa to his eldest son and then to the eldest son of this eldest son and so forth, generation after generation, unless during his lifetime, the Amir appoints one of his sons other than the eldest as his successor, in accordance with the provisions of the Decree of Succession provided for in the next clause.</p> <p>(c) All rules of succession shall be regulated by a special Amiri decree, which shall be of a constitutional nature and thus shall not be amended except in accordance with Article <u>104</u> of this Constitution.</p> <p>(d) The system of government in Bahrain is <b>democratic</b>, under which sovereignty lies with the people, the source of all powers. Sovereignty shall be exercised in the manner specified in this Constitution.</p> <p>(e) The <b>citizens</b> shall have the right to participate in the public affairs of the State and enjoy political rights, beginning with the right to vote, in accordance with this</p>

<p>Constitution and the conditions and principles laid down by law. <b><u>No citizen can be deprived of the right to vote or to nominate oneself for elections except by law.</u></b></p> <p>f. This Constitution may be amended only partly, and in the manner provided herein.</p> <p><b>Article 2 [State Religion, Shari'a, Official Language]</b> The religion of the State is Islam. The Islamic Shari'a is a principal source for legislation. The official language is Arabic.</p> <p><b>Article 3 [Flag]</b> The State flag, emblem, logos, honours, and national anthem are laid down by law.</p> <p><b>Chapter II Basic Constituents of Society</b> <b>Article 4 [State Principles]</b> Justice is the basis of government. Cooperation and mutual respect provide a firm bond between citizens. Freedom, equality, security, trust, knowledge, social solidarity, and equality of opportunity for citizens are pillars of society guaranteed by the State.</p> <p><b>Article 5 [Family]</b> a. The family is the basis of society, deriving its strength from religion, morality, and love of the homeland. The law preserves its lawful entity, strengthens its bonds and values, under its aegis extends protection to mothers and children, tends the young, protects them from exploitation, and safeguards them against moral, bodily, and spiritual neglect. The State</p>	<p>Constitution and the conditions and procedures set forth in the law.</p> <p>(f) This Constitution shall not be amended except in part and in the manner provided for therein, <b><u>and no amendment thereto shall be proposed before the expiry of five years from the effective date of its commencement.</u></b></p> <p><b>Article 2 [Sharia]</b> Islam shall be the religion of the State, Islamic Sharia a main source of legislation, and Arabic the official language.</p> <p><b>Article 3 [Flag, Anthem]</b> The law shall specify the State's flag, emblem, insignia, medals, orders and national anthem.</p> <p><b>Part II Fundamental Constituents of Society</b> <b>Article 4 [State Principles]</b> Justice underlies the system of government. Co-operation and mutual understanding are firm bonds among citizens. Liberty, equality, security, tranquillity, education, social solidarity, and equal opportunities for citizens are the pillars of society guaranteed by the State.</p> <p><b>Article 5 [Family]</b> (a) The family is the corner stone of society and its strength lies in religion, morality and patriotism. The law shall preserve its legal integrity and strengthen its bonds and values, and shall protect motherhood and childhood within the family. The law shall also protect the young and defend them against exploitation and moral, physical, and spiritual</p>
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cares in particular for the physical, moral, and intellectual development of the young.

**b. The State guarantees reconciling the duties of women towards the family with their work in society, and their equality with men in political, social, cultural, and economic spheres without breaching the provisions of Islamic canon law (Shari'a).**

c. The State guarantees the requisite social security for its citizens in old age, sickness, disability, orphanhood, widowhood, or unemployment, and also provides them with social insurance and healthcare services. It strives to safeguard them against ignorance, fear, and poverty.

d. Inheritance is a guaranteed right governed by the Islamic Shari'a.

**Article 6 [Arab and Islamic Heritage]**

The State safeguards the Arab and Islamic heritage. It contributes to the advancement of human civilization and strives to strengthen the bonds between the Islamic countries, and to achieve the aspirations of the Arab nation for unity and progress.

**Article 7 [Education]**

a. The State sponsors the sciences, humanities and the arts, and encourages scientific research. The State also guarantees educational and cultural services to its citizens. Education is compulsory and free in the early stages as specified and provided by law. The necessary plan to combat illiteracy is laid down by law.

b. The law regulates care for religious and national instruction in the various stages and forms of education, and at all stages is concerned to develop the citizen's personality and his pride in **his Arabism**.

c. Individuals and bodies may establish private

neglect. The State shall take particular care of the physical, mental, and moral growth of youth.

(b) The State shall ensure the accomplishment of necessary social security for citizens in old age, sickness, inability to work, orphanhood, widowhood or unemployment. The State shall also provide them with services of social insurance and medical care, and strive to protect them from ignorance, fear, and poverty.

**Article 6 [Arab Heritage]**

The State shall preserve the Arab and Islamic heritage, it shall participate in the furtherance of human civilisation, and it shall strive to strengthen ties with the Muslim countries and to bring to fruition the aspirations of the Arab Nation for unity and advancement.

**Article 7 [Sciences and Education]**

(a) The State shall patronise the sciences, literature and the arts, and shall encourage research. It shall ensure educational and cultural services of citizens. Primary education shall be compulsory and free in accordance with the law. The law shall lay down the necessary plan to eliminate illiteracy.

(b) The law shall regulate the various aspects of religious education and attention also be given to the strengthening of the citizen's personality and pride in his **Arab Nationalism**.

(c) Individuals and bodies may establish

schools and universities under the supervision of the State and in accordance with the law.

d. The State guarantees the inviolability of the places of learning.

**Article 8 [Health Care]**

a. Every citizen is entitled to health care. The State cares for public health and the State ensures the means of prevention and treatment by establishing a variety of hospitals and healthcare institutions.

b. Individuals and bodies may establish private hospitals, clinics, or treatment centres under the supervision of the State and in accordance with the law.

**Article 9 [Property]**

a. Ownership, capital and work -- in accordance with the principles of Islamic justice -- are basic constituents of the social entity of the State and the national wealth, and are all individual rights with a social function regulated by law.

b. Public funds are inviolate, and it is the duty of every citizen to protect them.

c. Private ownership is protected. No one shall be prevented from disposing of his property within the limits of the law. No one shall be dispossessed of his property except for the public good in the cases specified and the manner stated by law and provided that he is fairly compensated.

d. Public expropriation of funds is prohibited, and private expropriation shall be a penalty only by judicial ruling in the cases prescribed by law.

e. The relationship between the owners of land and real estate and their tenants shall be

private schools under the supervision of the State and in accordance with the law.

(d) Inviolability of the educational institutions shall be guaranteed by the State.

**Article 8 [Health]**

(a) Every citizen shall have the right to health welfare. The State shall care for public health, and ensure means of prevention and treatment by establishing various kinds of hospitals and provide medical facilities.

(b) Individuals and bodies may establish hospitals, clinics, or infirmaries under the supervision of the State and in accordance with the law.

**Article 9 [Property, Work]**

(a) Property, capital and work, in accordance with the principles of Islamic justice, shall be fundamental constituents of the social structure of the State and the national wealth. They are all individual rights with a social function regulated by the law.

(b) Public property shall be inviolable and its protection shall be the duty of every citizen.

(c) Private property shall be well protected. No one shall be prevented from disposing of his property except within the limits of the law. No property shall be expropriated except in the public interest, in accordance with the law and provided that just compensation is paid.

(d) General confiscation of property shall be prohibited. Confiscation of private property as a penalty may not be inflicted except by a court judgment and in the circumstances specified by the law.

(e) The law shall regulate, on an economic basis with due regard being given to social

regulated by law on economic principles while observing social justice.

f. The State shall endeavour to provide housing for citizens with limited income.

g. The State shall make the necessary arrangements to ensure the exploitation of land suitable for productive farming, and shall strive to raise the standards of farmers. The law lays down how small farmers are to be helped and how they can own their land.

**h. The State shall take the necessary measures for the protection of the environment and the conservation of wildlife.**

**Article 10 [Economy]**

a. The national economy is based on social justice, and it is strengthened by fair cooperation between public and private business. Its objective, within the limits of the law, is economic development according to a well-ordered plan and achievement of prosperity for the citizens, all within the bounds of the law.

b. The State endeavours to achieve the economic union of **the Gulf Cooperation Council states and the states of the Arab League, and everything that leads to rapprochement, cooperation, coordination and mutual assistance among them.**

**Article 11 [Natural Resources]**

All natural wealth and resources are State property. The State shall safeguard them and exploit them properly, while observing the requirements of the security of the State and of the national economy.

**Article 12 [Compensation]**

The State guarantees the common liability of society in bearing the burdens arising from

justice, the relationship between landlords and tenants.

(f) The State shall strive to provide housing for citizens with limited income.

(g) The State shall make the necessary arrangements to ensure the utilisation of arable land in a productive manner, and shall endeavour to raise the standard of farmers. The law shall specify the means whereby assistance and ownership of land are granted to small farmers.

**Article 10 [Economy]**

(a) The national economy shall be based on social justice. It shall be founded on fair co-operation between public and private sectors. Its aim shall be economic development within a well-conceived plan and achievement of prosperity for citizens, all within the limits of law.

(b) The State shall strive for the attainment of **Arab economic unity.**

**Article 11 [Natural Resources]**

All natural resources shall be the property of the state. It shall ensure their preservation and proper utilisation, due regard being given to the requirements of the State's security and national economy.

**Article 12 [Solidarity, Duties]**

The State shall ensure the solidarity of society in shouldering burdens resulting from

<p>public disasters and ordeals, and for compensating those affected by war damage or as a result of performing their military duties.</p> <p><b>Article 13 [Work]</b></p> <p>a. Work is the duty of every citizen, is required by personal dignity, and is dictated by the public good. Every citizen has the right to work and to choose the type of work within the bounds of public order and decency.</p> <p>b. The State guarantees the provision of job opportunities for its citizens and the fairness of work conditions.</p> <p>c. Compulsory work cannot be imposed on any person except in the cases specified by law for national exigency and for a fair consideration, or pursuant to a judicial ruling.</p> <p>d. The law regulates the relationship between employees and employers on economic basis while observing social justice.</p> <p><b>Article 14 [Savings, Credit]</b></p> <p>The State encourages cooperation and saving, and supervises the regulation of credit.</p> <p><b>Article 15 [Taxes]</b></p> <p>a. Taxes and public costs are based on social justice, and their payment is a duty under the law.</p> <p>b. The law regulates exemption of low incomes from taxes in order to ensure that a minimum standard of living is safeguarded.</p> <p><b>Article 16 [Public Jobs]</b></p> <p>a. Public jobs are a national service entrusted to their incumbents, and State employees shall have the public interest in mind when</p>	<p>disasters and natural calamities, and shall provide compensation for damages or injuries suffered by people as a result of a war or as a result of performing their military duties.</p> <p><b>Article 13 [Work]</b></p> <p>(a) Work shall be the duty of every citizen necessitated by personal dignity and public good. Every citizen shall have the right to work and to choose his type of work in accordance with public order and moral standards.</p> <p>(b) The State shall ensure that work is made available to the citizens and that its terms are equitable.</p> <p>(c) No forced labour shall be imposed on anyone except in circumstances specified by the law for national emergency and with just remuneration, or as an implementation of a judicial decision.</p> <p>(d) Relations between employers and employees shall be regulated by the law on an economic basis, due regard being given to the principles of social justice.</p> <p><b>Article 14 [Savings, Credit]</b></p> <p>The State shall encourage co-operation and saving, and supervise the regulation of credit.</p> <p><b>Article 15 [Taxes, Duties, Offices]</b></p> <p>(a) Taxes and public imports shall be based on the principles of social justice, and the payment thereof shall be duty in accordance with the law.</p> <p>(b) Citizens shall have equal opportunities to hold public offices in accordance with the conditions specified by the law.</p>
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performing their jobs. Foreigners shall not be entrusted with public posts except in those cases specified by law.

b. Citizens are equal in the assumption of public posts in accordance with the conditions specified by law.

### **Chapter III Public Rights and Duties**

#### **Article 17 [Citizenship]**

a. Bahraini nationality shall be determined by law. A person inherently enjoying his Bahraini nationality cannot be stripped of his nationality except in case of treason, and such other cases as prescribed by law.

b. It is prohibited to banish a citizen from Bahrain or prevent him from returning to it.

#### **Article 18 [Human Dignity, Equality]**

People are equal in human dignity, and citizens are equal before the law in public rights and duties. There shall be no discrimination among them on the basis of sex, origin, language, religion or creed.

#### **Article 19 [Personal Freedom]**

a. Personal freedom is guaranteed under the law.

b. A person cannot be arrested, detained, imprisoned, or searched, or his place of residence specified or his freedom of residence or movement restricted, except under the provisions of the law and under judicial supervision.

c. A person cannot be detained or imprisoned in locations other than those designated in the prison regulations covered by health and social

### **Part Three Public Rights and Duties**

#### **Article 17 [Citizenship]**

(a) Citizenship shall be defined by the law, and no person enjoying citizenship by origin may be deprived of it except in cases of high treason and dual nationality and in accordance with the conditions specified by the law.

(b) Citizenship may not be withdrawn from a naturalised citizen except within the limits of the law.

(c) No citizen shall be deported from Bahrain, nor shall he be denied re-entry.

#### **Article 18 [Human Dignity]**

People are equal in human dignity, and citizens shall be equal in public rights and duties before the law, without discrimination as to race, origin, language, religion or belief.

#### **Article 19 [Personal Liberty]**

(a) Personal liberty is guaranteed in accordance with the law.

(b) No person shall be arrested, detained, imprisoned, searched or compelled to reside in a specified place, nor shall the residence of any person or his liberty to choose his place of residence or his liberty of movement be restricted, except in accordance with the law and under the supervision of the judicial authorities.

(c) No detention or imprisonment shall be imposed in places other than those specified in prison laws. In these places, health and

<p>care and subject to control by the judicial authority.</p> <p>d. No person shall be subjected to physical or mental torture, or inducement, or undignified treatment, and the penalty for so doing shall be specified by law. Any statement or confession proved to have been made under torture, inducement, or such treatment, or the threat thereof, shall be null and void.</p> <p><b>Article 20 [Criminal Trials]</b></p> <p>a. There shall be no crime and no punishment except under a law, and punishment only for acts committed subsequent to the effective date of the law providing for the same.</p> <p>b. Punishment is personal.</p> <p>c. An accused person is innocent until proved guilty in a legal trial in which he is assured of the necessary guarantees to exercise the right of defence at all stages of the investigation and trial in accordance with the law.</p> <p>d. It is forbidden to harm an accused person physically or mentally.</p> <p>e. Every person accused of an offence must have a lawyer to defend him with his consent.</p> <p>f. The right to litigate is guaranteed under the law.</p> <p><b>Article 21 [Asylum]</b></p> <p>The extradition of political refugees is prohibited.</p> <p><b>Article 22 [Conscience, Religion]</b></p> <p>Freedom of conscience is absolute. The State guarantees the inviolability of worship, and the freedom to perform religious rites and hold religious parades and meetings in accordance</p>	<p>social welfare shall be observed, and they shall be subject to the supervision of the judicial authorities.</p> <p>(d) No person shall be subjected to physical or mental torture, enticement or degrading treatment and the law shall provide the penalty for these acts. Any statement or confession shall be null and void if it is proved to have been made under duress or enticement or degrading treatment of threat thereof.</p> <p><b>Article 20 [Penalty]</b></p> <p>(a) No crime or penalty may be established except by virtue of law, and no penalty may be imposed except for offences committed after the relevant law has come</p> <p>(b) Penalty is personal.</p> <p>(c) An accused person shall be presumed innocent until proved guilty in a legal trial in which the necessary guarantees for the exercise of his right of defence in all the stages of investigation and trial are ensured in accordance with the law.</p> <p>(d) No physical or moral injury shall be inflicted on an accused person.</p> <p>(e) A council for the defence of any person accused of a felony shall be appointed with the approval of the accused.</p> <p>(f) The right to trial shall be guaranteed in accordance with the law.</p> <p><b>Article 21 [Asylum]</b></p> <p>Extradition of political refugees is prohibited.</p> <p><b>Article 22 [Conscience, Religion]</b></p> <p>Freedom of conscience is absolute. The State shall guarantee the inviolability of places of worship and the freedom to perform religious rites and to hold religious processions and</p>
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<p>with the customs observed in the country.</p> <p><b>Article 23 [Expression]</b> Freedom of opinion and scientific research is guaranteed. Everyone has the right to express his opinion and publish it by word of mouth, in writing or otherwise under the rules and conditions laid down by law, <u>provided that the fundamental beliefs of Islamic doctrine are not infringed, the unity of the people is not prejudiced, and discord or sectarianism is not aroused.</u></p> <p><b>Article 24 [Press]</b> With due regard for the provisions of the preceding Article, the freedom of the press, printing and publishing is guaranteed under the rules and conditions laid down by law.</p> <p><b>Article 25 [Home]</b> Dwellings are inviolate. They cannot be entered or searched without the permission of their occupants exception in cases of maximum necessity as laid down and in the manner provided by law.</p> <p><b>Article 26 [Communication]</b> The freedom of postal, telegraphic, telephonic, and electronic communication is safeguarded and its confidentiality is guaranteed. Communications shall not be censored or their confidentiality breached except in exigencies specified by law and in accordance with procedures and under guarantees prescribed by law.</p> <p><b>Article 27 [Associations, Trade Unions]</b> The freedom to form associations and unions on national principles, for lawful objectives and by peaceful means is guaranteed under the rules and conditions laid down by law,</p>	<p>meetings in accordance with the customs observed in the country.</p> <p><b>Article 23 [Expression, Science]</b> Freedom of speech and freedom to carry out scientific research shall be guaranteed. Every person shall have the right to express and propagate his opinion in words or in writing or by any other means, in accordance with the conditions and procedures specified by the law.</p> <p><b>Article 24 [Press]</b> Freedom of the press, printing and publication shall be guaranteed in accordance with the conditions and procedure specified by the law.</p> <p><b>Article 25 [Home]</b> Places of residence shall be inviolable. They may not be entered or searched without the permission of their occupants except in the circumstances and manner specified by the law.</p> <p><b>Article 26 [Communication]</b> Freedom of postal, telegraphic, and telephonic communications and the secrecy thereof shall be guaranteed. No communications shall be censored nor the contents thereof revealed except in cases of necessity prescribed by the law and in accordance with the procedures and guarantees stated therein.</p> <p><b>Article 27 [Associations, Trade Unions]</b> Freedom to form associations and trade unions on a national basis and for lawful objectives and by peaceful means shall be guaranteed in accordance with the conditions</p>
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**provided that the fundamentals of the religion and public order are not infringed.**

No one can be forced to join any association or union or to continue as a member.

**Article 28 [Assembly]**

a. Individuals are entitled to assemble privately without a need for permission or prior notice, and no member of the security forces may attend their private meetings.

b. Public meetings, parades and assemblies are permitted under the rules and conditions laid down by law, but the purposes and means of the meeting must be peaceful and must not be prejudicial to public decency.

**Article 29 [Petition]**

Any individual may address the public authorities in writing over his signature. Group approaches to the authorities may only be made by statutory bodies and corporate persons.

**Article 30 [Military Service]**

a. Peace is the objective of the State. The safety of the nation is part of the safety of the Arab homeland as a whole, and its defence is a **sacred** duty of every citizen. Performance of military service is an honour for citizens and is regulated by law.

b. Only the State may establish the Defence Force, National Guard, and Public Security services. Non-citizens are assigned such tasks only in case of maximum necessity and in the manner prescribed by law.

c. General or partial mobilisation shall be regulated by law.

**Article 31 [Restrictions]**

The public rights and freedoms stated in this

and procedures prescribed by the law. No one shall be compelled to join or remain in any association or union.

**Article 28 [Assembly]**

(a) Individuals shall have the right of private assembly without permission or prior notification, and no member of the security forces may attend such private meetings.

(b) Public meetings, processions and gatherings shall be permitted in accordance with the conditions and procedures prescribed by the law, provided that their purpose and means are peaceful and not contrary to morale.

**Article 29 [Petition]**

Any individual can address the public authorities in writing and with his signature. Only duly constituted organizations and corporate bodies shall have the right to address the public authorities collectively.

**Article 30 [Military Service]**

(a) Peace shall be the objective of the State, and the safety of the country shall be part of the safety of the Great Arab Homeland, and defending it shall be the duty of every citizen.

Military service is an honour for the citizens and regulated by law.

(b) The State alone shall establish armed forces and public security bodies. Duties of this kind shall be entrusted only to citizens except in cases of dire necessity and in the manner regulated by the law.

(c) Full or partial mobilisation of forces shall be regulated by the law.

**Article 31 [Restrictions]**

Public rights and liberties laid down in this

Constitution may only be regulated or limited by or in accordance with the law, and such regulation or limitation may not prejudice the essence of the right or freedom.

#### **Chapter IV Public Authorities General Provisions**

##### **[Section 0 General Provision]**

##### **Article 32 [Separation of Powers]**

a. The system of government rests on a separation of the legislative, executive, and judicial authorities while maintaining cooperation between them in accordance with the provisions of this Constitution. None of the three authorities may assign all or part of its powers stated in this Constitution. However, limited legislative delegation for a particular period and specific subject(s) is permissible, whereupon the powers shall be exercised in accordance with the provisions of the Delegation Law.

b. Legislative authority is vested in the **King** and the National Assembly in accordance with the Constitution. Executive authority is vested in the **King** together with the Council of Ministers and Ministers, and **judicial rulings** are issued in his name, the whole being in accordance with the provisions of the Constitution.

##### **Section 1 The King**

##### **Article 33 [Head of State, Powers]**

a. The **King** is Head of State, **and its nominal representative**, and his person is inviolate. **He is the loyal protector of the religion and the homeland, and the symbol of national unity.**

b. The **King safeguards the legitimacy of the government and the supremacy of the**

Constitution shall neither be regulated nor defined except by a law or in accordance therewith. Such regulation or definition shall not affect the essence of the right or liberty.

#### **Part Four Powers**

##### **[Chapter 0 General Provision]**

##### **Article 32 [System of Government]**

(a) The system of government shall be based on the principle of separation of the legislative, executive, and judicial powers, functioning in co-operation with each other in accordance with the provisions of this Constitution. None of the three powers may relinquish all or part of its competence prescribed in this Constitution. However, legislative authorization, limited for a certain period and in respect of a specified matter or matters, may be made, and shall be practiced in accordance with the law of authorisation and the condition thereof.

(b) Legislative power shall be vested in the **Amir** and the National Assembly in accordance with the Constitution; and the Executive power shall be vested in the **Amir**, the Cabinet and the Ministers. **Judicial decrees** shall be passed in the name of the **Amir**, all in accordance with the provisions of the Constitution.

##### **Chapter I The Amir**

##### **Article 33 [Head of State, Government]**

(a) The **Amir** is the Head of the State, his person shall be immune and inviolable, **and he shall exercise his powers through his Ministers who shall collectively report to him on the general policy of the Government, and each Minister shall be responsible for the affairs of his Ministry.**



other honorary titles by Royal Order, and can delegate others to carry out these functions on his behalf.

k. The currency is issued in the name of the **King** in accordance with the law.

l. On ascending the throne, the King takes the following oath at a special meeting of the National Assembly:

*"I swear by Almighty God that I shall respect the Constitution and the laws of the State, that I shall defend the freedoms, interests and assets of the people, and that I shall safeguard the independence of the nation and the integrity of its territories."*

m. The **Royal Court is attached to the King. A Royal Order shall be issued to regulate it. Its budget and the rules for the budget's control are set by a special Royal Decree.**

#### Article 34 [Deputy Head of State]

a. In the event of his absence abroad and the inability of the **Crown Prince** to act for him, the King shall appoint a Deputy by Royal Order to exercise his powers during his period of absence. This Order may include a special regulation for the exercise of these powers on his behalf or may limit their scope.

b. The **conditions** and provisions of Clause (b) of this Constitution shall apply to ~~48~~ of Article the King's Deputy. If he is a Minister or a member of **the Consultative Council or the Chamber of Deputies**, he shall not participate in ministerial or **parliamentary** business during the period he deputises for the King.

c. Before exercising his powers, the King's Deputy shall take the oath prescribed in the preceding Article, including the phrase: "*and I shall be loyal to the **King**.*" The oath shall be

(g) Currency shall be minted in the name of the **Amir** in accordance with the law.

(h) **The Amir shall protect the legality of the government and the supremacy of law**, and shall take the following oath at a special sitting of the National Assembly:

*"I swear by Almighty God to respect the Constitution and the laws of the State, to defend the liberties, interests and properties of the people, and to safeguard the independence and territorial integrity of the country."*

(i) **The Amir shall have an annual privy purse to be determined by a special Amiri decree. The privy purse may not be revised throughout the reign of the Amir, and shall thereafter be fixed by the law.**

#### Article 34 [Deputy]

(a) In the event of his absence outside the country and the inability of the Heir Apparent to act as deputy for him, the Amir shall appoint by an Amiri **Order a deputy** who shall exercise his powers during his absence. The said Amiri Order may include a specified arrangement for the exercise of powers on behalf of the Amir, or a limitation on their scope.

(b) The provisions of item (b) of Article of this Constitution shall apply to the Amir's deputy. If the Amir's deputy is a Minister or a member of the **National Assembly** he shall not take part in the functions of his Ministry or the **National Assembly** during the period he is acting as deputy for the Amir.

(c) Before assuming his powers, the Amir's deputy shall take the oath set forth in the previous article, with the following phrase added thereto: "*and be loyal to the **Amir**.*"

<p>taken in the National Assembly if in session, and if not it shall be taken before the King. The <b>Crown Prince</b> shall take this oath once, even if he deputises for the King a number of times.</p> <p><b>Article 35 [Legislative Powers]</b></p> <p>a. The King may amend the <b>Constitution</b>, propose laws, and is the authority for their ratification and promulgation.</p> <p>b. A law shall be deemed ratified and the King shall promulgate it if <b>six months</b> have elapsed from the date on which it was submitted to him by the <b>Consultative Council and Chamber of Deputies</b> without it being returned to these Chambers for reconsideration.</p> <p>c. With due regard for the provisions pertaining to <b>amendment of the Constitution</b>, if within the interval prescribed in the preceding clause the King returns to the <b>Consultative Council and the Chamber of Deputies</b> for reconsideration the draft of any law by way of a Decree in justification, he shall state whether it should be reconsidered in that same session or the next.</p> <p>d. If the <b>Consultative Council and the Chamber of Deputies, or the National Assembly</b>, re-approve the draft by a majority of <b>two-thirds</b> of their members, the King shall ratify it, and shall promulgate it within one month of its approval for the second time.</p> <p><b>Article 36 [Declaration of War]</b></p> <p>a. Aggressive war is forbidden. A defensive war is declared by a Decree, which shall be presented to the National Assembly immediately upon its declaration, for a decision on the conduct of the war.</p> <p>b. A <b>state of national safety</b> or martial law shall be proclaimed only by <b>Decree</b>. In all cases, martial law cannot be proclaimed for a</p>	<p>The oath shall be taken in the National Assembly if it is in session, otherwise it shall be taken before the Amir. The oath by the <b>Heir Apparent</b> shall be taken only once even if he acts as a deputy for the Amir more than once.</p> <p><b>Article 35 [Legislation]</b></p> <p>(a) The Amir shall have the right to <b>initiate laws</b>, and he alone shall ratify and promulgate the laws.</p> <p>(b) A bill shall be considered to have been ratified and shall be promulgated by the Amir if a period of <b>thirty days</b> from the date of its submission by the National Assembly to the Amir has expired without the Amir returning it to the <b>National Assembly</b> for re-consideration.</p> <p>(c) If, within the period prescribed in the preceding clause the Amir returns the bill, by a decree stating the grounds therefore, to the National Assembly for re-consideration, then it shall be decided whether such re-consideration should take place during the same or the next session.</p> <p>(d) If the <b>Assembly</b> re-confirms the bill by a <b>majority vote</b> of its members, the Amir shall ratify and promulgate the bill within one month from the date of the re-confirmation.</p> <p><b>Article 36 [War]</b></p> <p>(a) <b>Offensive</b> war is unlawful. The declaration of defensive war shall be made by an Amiri decree, which shall be referred to the National Assembly immediately after the declaration has been made, for decision.</p> <p>(b) Martial law shall be proclaimed only by <b>law</b>, unless otherwise dictated by <b>urgent necessity to be by a decree</b> giving the</p>
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period exceeding three months. This period may not be renewed except with the consent of the majority of the members of the National Assembly present.

#### **Article 37 [Treaties]**

(1) The King shall conclude treaties by Decree, and shall communicate them to the Consultative Council and the Chamber of Deputies forthwith accompanied by the appropriate statement. A treaty shall have the force of law once it has been concluded and ratified and published in the Official Gazette.

(2) However, peace treaties and treaties of alliance, treaties relating to State territory, natural resources, rights of sovereignty, the public and private rights of citizens, treaties pertaining to commerce, shipping and residence, and treaties which involve the State Exchequer in non-budget expenditure or which entail amendment of the laws of Bahrain, must be promulgated by law to be valid.

(3) Under no circumstances may a treaty include secret clauses, which conflict with those openly declared.

#### **Article 38 [Decrees]**

(1) If between the convening of both the Consultative Council and the Chamber of Deputies sessions, or during the period in which the National Assembly is in recess, any event should occur that requires expediting the

justification therefore, provided that the matter shall be referred to the National Assembly within two weeks for decision. In all cases the period of martial law shall not exceed three months, but this period may be renewed in whole or in part once or more, provided that approval by a majority vote of the members constituting the National Assembly has been obtained. If the proclamation or renewal of martial law takes place during the period in which the National Assembly is dissolved, the matter shall be referred to the new Assembly at its first meeting.

#### **Article 37 [Treaties]**

(1) The Amir shall conclude treaties by decree and shall transmit them immediately to the National Assembly with the appropriate statement. A treaty shall have the force of law after it has been signed, ratified, and published in the Official Gazette.

(2) However, treaties of peace and alliance; treaties concerning the territory of the State, its natural resources or sovereign rights or public or private rights of citizens; treaties of commerce, navigation and residence; and treaties which entail additional expenditure not provided for in the budget of the State, or which involve amendment to the laws of Bahrain, shall come into effect only when made by a law.

(3) In no case may treaties include secret provisions contradicting those declared.

#### **Article 38 [Decrees]**

(1) Should necessity arise for urgent measures to be taken while the National Assembly is not in session or is dissolved, the Amir may issue decrees in respect thereof which shall have the force of law, provided that they shall

adoption of measures that brook no delay, the King may issue relevant Decrees that have the force of law, provided they do not contravene the Constitution.

(2) Such Decrees must be referred to both the **Consultative Council and the Chamber of Deputies** within **one month** from their promulgation if the two chambers are in session or within a month of the first meeting of each of the two new chambers in the event of dissolution or if the legislative term had ended. If the Decrees are not so referred, their legal force shall abate retrospectively without a need to issue a relevant ruling. If they are referred to the two chambers but are not confirmed by them, their legal force shall also abate retrospectively.

#### **Article 39 [Administrative Decrees]**

a. The King shall lay down the regulations for implementation of the laws, by Decrees, which shall not include amendment or suspension of those laws or exemption from their implementation. The law may prescribe a lower instrument than a Decree for promulgation of the regulations necessary for their implementation.

b. The King shall lay down the control regulations and the regulations necessary for the organisation of public directorates and departments, by Decrees in a manner, which does not conflict with the laws.

#### **Article 40 [Officers]**

The King shall appoint and dismiss civil servants, military personnel, and political representatives in foreign States and with international organisations, within the bounds and on the conditions prescribed by law, and

not be contrary to the Constitution **or the appropriations included in the budget law.**

(2) Such decrees shall be referred to the **National Assembly** within **fifteen days** following their issue if the Assembly is in session. If it is dissolved or its legislative term has expired such decrees shall be referred to the next Assembly at its first meeting. If they are not thus referred, they **shall retroactively cease to have the force of a law without the necessity of any decision to that effect.** If they are referred and the Assembly does not confirm them, they shall also retroactively cease to have the force of law, unless the Assembly approves their validity for the preceding period or settles in some other way the effects arising there from.

#### **Article 39 [Administrative Decrees]**

(a) The Amir shall by decrees, issue the regulations necessary for the execution of laws without amending or suspending such laws or making any exemption from their execution. A law may describe a less formal instrument than a decree for the issue of the regulations necessary for its execution.

(b) The Amir shall, by decrees, issue regulations for public order and health, and regulations necessary for the organisation of public services and administration, not conflicting with any law.

#### **Article 40 [Officers]**

The Amir shall appoint and remove civil and military officials and diplomatic representatives to foreign countries and international organisations in accordance with the law and in the manner prescribed therein.

<p>shall accredit the representatives of foreign States and organisations.</p> <p><b>Article 41 [Pardon, Amnesty]</b> The King may abate or commute a sentence by Decree. A total amnesty may be granted only by law, and shall apply to offences committed before the amnesty was proposed.</p> <p><b>Article 42 [Electoral Orders]</b> a. The King shall issue the Orders for elections to the Chamber of Deputies in accordance with the provisions of the law. b. The King shall invite the National Assembly to convene by Royal Order, and shall open its proceedings and bring them to a close in accordance with the provisions of the Constitution.</p> <p><b>Article 43 [Popular Referendum]</b> The King may conduct a popular referendum on important laws and issues connected with the interests of the State. The issue on which the referendum has been held is considered to have been agreed upon if approved by a majority of those who cast their votes. The result of the referendum shall be binding on all and effective from the date it is declared and it shall be published in the Official Gazette.</p> <p><b>Section 2 The Executive Authority</b> <b>Article 44 [Composition]</b> The Council of Ministers shall consist of the Prime Minister and a number of Ministers.</p> <p><b>Article 45 [Eligibility]</b> a. The incumbent of a Ministry must be a Bahraini, aged not less than 30 years by the Gregorian Calendar and must enjoy full political and civil rights. Unless otherwise provided, the provisions pertaining to Ministers</p>	<p>He shall also accept credentials of the representatives of foreign countries and organisations.</p> <p><b>Article 41 [Pardon]</b> The Amir may, by decree grant a pardon or commute a sentence. However, amnesty shall not be granted except by a law and then only in respect of offences committed prior to the proposal of the amnesty.</p> <p><b>Chapter III Executive Power</b> <b>Section I The Cabinet</b></p> <p><b>Article 83 [Eligibility]</b> (a) A Minister shall satisfy the qualifications laid down in Article 44 of this Constitution. All Provisions regarding Ministers shall apply to the Prime Minister unless otherwise stated.</p>
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<p>apply also to the Prime Minister.</p> <p>b. The salaries of the Prime Minister and Ministers shall be laid down by law.</p> <p><b>Article 46 [Oath of Office]</b> Before exercising their powers, the Prime Minister and Ministers shall take the oath of this Constitution <u>78</u>prescribed in Article before the King.</p> <p><b>Article 47 [Powers]</b> a. The Council of Ministers shall oversee State interests, lay down and follow through the implementation of general government policy, and supervise the course of business in the Government apparatus. b. The King shall chair those meetings of the Council of Ministers, which he attends. c. The Prime Minister shall supervise performance of the tasks of the Council of Ministers and the course of its business, implement its decisions and coordinate between the various Ministries and integrate their business. d. Relinquishment by the Prime Minister of his position for any reason shall entail removal of all Ministers from their posts. e. The deliberations of the Council of Ministers shall be confidential. Its decisions shall be adopted when a majority of its members attend and there is a majority of those attending in favour. In the event of a tied vote, the side on which the Prime Minister's vote is cast shall prevail. The minority shall abide by the opinion of the majority unless they resign. Council decisions shall be submitted to the King for approval in cases where issue of a relevant Decree is required.</p>	<p>(b) Remuneration of the Prime Minister and Ministers shall be determined by law.</p> <p><b>Article 84 [Oath of Office]</b> Before assuming office, the Prime Minister and Ministers shall take before the Amir the oath specified in Article <u>53</u> of this Constitution.</p> <p><b>Article 85 [Powers]</b> (a) The Cabinet shall have control over the departments of the State. It shall formulate the general policy of the Government, pursue its execution and supervise the functioning of the Government departments. (b) The Amir shall preside over the meetings of the Cabinet which he attends. (c) The Prime Minister shall supervise the functions and procedures of the Cabinet. He shall be responsible for the implementation of the Cabinet's decisions and the co-ordination among the various ministries, and to ensure that their functions are integrated. (d) The relinquishment of the position of the Prime Minister for any reason shall involve the relinquishment of all ministerial positions by the Ministers. (e) Deliberations of the Cabinet shall be secret. Resolutions shall be passed only when the majority of its members are present and with the approval of the majority of those present. In case of an equal division of votes, the side on which the Prime Minister has voted shall prevail. Unless they resign, the minority shall abide by the opinion of the majority. Resolutions of the Cabinet shall be submitted to the Amir for ratification in cases where the issue of a decree is required.</p>
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**Article 48 [Departments, Incompatibilities]**

a. Each minister shall supervise the affairs of his Ministry and implement the general government policy in that Ministry. He shall also decide the orientation of the Ministry and supervise the putting of it into practice.

b. While in charge of his Ministry, a Minister may not assume any other public office, nor may he even indirectly practice a profession or conduct industrial, commercial or financial business, nor may he participate in contracts concluded by the Government or public institutions, or combine his ministerial position with the membership of the board of directors of any company except as a non-remunerated Government representative. Also during this period, the Minister may not purchase or rent a State asset even by way of public auction, nor may he lease, sell, or barter any of his assets to the State.

**Article 49 [Succession]**

If the Prime Minister or the Minister relinquishes his position for any reason, he shall continue to discharge urgent business of his function until a successor is appointed.

**Article 50 [Supervision of Self-Government]**

a. The law shall regulate public institutions and municipal departmental bodies so as to ensure their independence under State direction and supervision. The law shall ensure the municipal departmental bodies can administer and oversee the services that have a local character and are within their area.

b. The State shall direct public welfare

**Article 86 [Policy, Directives, Incompatibilities]**

(a) Every Minister shall supervise the affairs of his Ministry and shall execute therein the general policy of the Government. He shall also formulate directives for the Ministry and supervise their execution.

(b) While in office, a Minister shall not hold any other public office or practice, even indirectly, any extra governmental profession or undertake any industrial, commercial or financial business. He shall not participate in any concession granted by the Government or by public bodies or emulate the ministerial post with membership of the board of directors of any company, except as a representative of the Government and without remuneration. Further, during the same period, a Minister shall not buy or take on hire any property of the State even by public auction, nor shall he let, sell, or barter any of his property to the State.

**Article 70 [Vacancy of Prime Minister's Office]**

If, for any reason, the Prime Minister vacates his office he shall continue to discharge the urgent business thereof until his successor is appointed.

**Article 87 [Supervision of Self-Government]**

(a) The law shall regulate general and municipal self-government bodies in such a way as to ensure their independence under the direction and supervision of the State.

(b) The State shall direct bodies of public

<p>institutions for the public good in a manner consistent with general State policy and the interest of its citizens.</p> <p><b>Section 3 The Legislative Authority National Assembly</b> <b>[Part 0 General Provision]</b></p> <p><b>Article 51 [Chambers]</b> <u>The National Assembly consists of two Chambers: the Consultative Council and the Chamber of Deputies.</u></p> <p><b>Part 1 The Consultative Council</b> <b>Article 52 [Composition]</b> The Consultative Council is composed of forty members appointed by Royal Order.</p> <p><b>Article 53 [Eligibility]</b> A member of the Consultative Council must be a Bahraini, enjoy full political and civil rights, be on an electoral list, must not be less than a full thirty five years of age by the Gregorian Calendar on the day of appointment, and must be experienced or have rendered distinguished services to the Nation.</p> <p><b>Article 54 [Term]</b></p> <p>a. The term of membership of the Consultative Council is four years, and members may be reappointed when their term has expired.</p> <p>b. If for any reason the place of a member of the Consultative Council becomes vacant before his term is due to expire, the King shall appoint a replacement to serve until the end of the term of his predecessor.</p> <p>c. Any member of the Consultative Council may ask to be exempted from membership of the Council by applying to the President of the</p>	<p>interest in such a way that they conform to the general policy of the State and the benefit of the citizens.</p> <p><b>Chapter II Legislative Power</b> <b>Article 42 [National Assembly]</b> No law may be promulgated unless it has been passed by the National Assembly and ratified by the Amir.</p> <p><b>Article 43 [Composition]</b> The National Assembly shall be composed of:</p> <p>(a) <u>Thirty members elected directly by universal suffrage and secret ballot, in accordance with the provisions of the electoral law. The number of these members shall be increased to forty with effect from the elections for the second legislative term. Electoral constituencies shall be determined by the law.</u></p> <p>(b) <u>The Ministers by virtue of their portfolios.</u></p>
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<p>Council, and the President is to submit the request to the King. Membership shall not terminate until the date on which the King accedes to the request.</p> <p>d. The King shall appoint the President of the Consultative Council for the same period as the Council, and the Council shall elect two Vice-Presidents for each convening period.</p> <p><b>Article 55 [Sessions]</b></p> <p>a. The Consultative Council shall meet when the Chamber of Deputies meets, and the convening period for both Chambers shall be the same.</p> <p>b. If the Chamber of Deputies is dissolved, sessions of the Consultative Council shall be halted.</p> <p><b>Part 2 The Chamber of Deputies</b></p> <p><b>Article 56 [Composition]</b></p> <p>The Chamber of Deputies comprises <b>forty</b> members elected by direct, secret general ballot in accordance with the provisions of the law.</p> <p><b>Article 57 [Eligibility]</b></p> <p>A member of the Chamber of Deputies must meet the following requirements:</p> <p>a. He must be a Bahraini enjoying his full civil and political rights, and his name must be on an electoral list.</p> <p>b. On the day of his election he must be not less than thirty years of age by the Gregorian Calendar.</p> <p>c. He must read and write Arabic fluently.</p> <p>d. His membership of the Consultative Council or the Chamber of Deputies must not have</p>	<p><b>Article 43 [Composition]</b></p> <p>The National Assembly shall be composed of:</p> <p>(a) <b>Thirty</b> members elected directly by <u>universal suffrage and secret ballot, in accordance with the provisions of the electoral law. The number of these members shall be increased to forty with effect from the elections for the second legislative term. Electoral constituencies shall be determined by the law.</u></p> <p>(b) <u>The Ministers by virtue of their portfolios.</u></p> <p><b>Article 44 [Eligibility]</b></p> <p>A member of the National Assembly must:</p> <p>(a) Have been registered in one of the electoral rolls, not be suspended from exercising his right to vote, <b>and be a Bahraini citizen by origin.</b></p> <p>(b) Be not less than thirty-full calendar years of age on the day of election.</p> <p>(c) Be able to read and write Arabic well.</p>
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been abrogated by decision of the Chamber to which he belonged due to loss of confidence and esteem or for being in breach of duties of membership. However, a person whose membership has been abrogated may put himself forward as a candidate if the legislative season during which the decision to abrogate his membership was taken has elapsed, or if the chamber of which he was a member adopts a decision to cancel the impediment to candidature entailed by abrogation of membership upon expiry of the convening period during which the decision to abrogate his membership was taken.

**Article 58 [Term]**

(1) The term of the Chamber of Deputies is four years by the Gregorian Calendar from the date of its first session. Elections for a new Chamber of Deputies shall be held during the last **four months** of that term, while observing the provisions of Article 64 of the Constitution. A person whose period of membership has ended may be re-elected.

(2) **The King may, when necessary, extend the legislative season of the Chamber of Deputies by Royal Order for a period not exceeding two years.**

**Article 59 [Vacancies]**

(1) If for any reason the place of a member of the Chamber of Deputies becomes vacant before his term is due to expire, his replacement shall be elected within two months from the date of announcement of the vacancy by the Chamber, and the new member shall serve until the end of term of his predecessor.

(2) If the vacancy occurs within the six months that precede the end of the legislative season of the Chamber, there shall be no election of a

**Article 45 [Term]**

(1) The term of the National Assembly shall be four calendar years commencing from the date of its first meeting. Elections for the new Assembly shall take place within **two months** preceding the expiry of the said term, due regard being given to the provisions of Article 65 of this Constitution.

(2) Members whose term of office expires may be re-elected. **The term of the National Assembly may not be extended except for necessity in time of war and by a law passed by two-third majority of the members constituting the Assembly.**

**Article 46 [Vacancies]**

If, for any reason, a seat in the National Assembly becomes vacant before the end of the term, the vacancy shall be filled by election within two months from the date on which the Assembly declares the vacancy. The term of the new member shall last until the end of that of his predecessor. If the vacancy occurs within six months immediately prior to the expiry of the legislative term of the Assembly no successor

replacement member.

**Article 60 [Presidency]**

(1) At its first session the Chamber of Deputies shall choose from among its members a **President and two Vice Presidents** for the same duration as the Chamber's term. If the place of any of them falls vacant, the Chamber shall choose a replacement to serve out his term.

(2) In all cases, election shall be by an absolute majority of those present. If there is no such majority on the first ballot, the election shall be conducted again between the two who secured the most votes. If a third party tied with the second of the two, he shall participate with them both in the election in the second ballot, and in this case, the election shall be by proportional majority. If this proportional majority results in a tie, the Chamber shall choose by lot.

(3) **The first session shall be chaired by the eldest member until such time as a President of the Chamber of Deputies is elected.**

**Article 61 [Committees]**

The Chamber shall form the committees necessary for its business during the first week of its annual assembly. These committees may exercise their powers while the chamber is in recess.

**Article 62 [Electoral Jurisdiction]**

**The Court of Cassation** shall have jurisdiction to rule on challenges relating to elections to the Chamber of Deputies, in accordance with the relevant law.

shall be elected.

**Article 54 [Speaker]**

(1) The National Assembly shall elect at its first sitting and for the duration of its term a **speaker, Deputy Speaker and a Secretary** from amongst its members. If any office becomes vacant the Assembly shall elect a successor for the remainder of its term.

(2) In all cases, election shall be by an absolute majority vote of the members present. If this majority vote is not attained in the first ballot, another election shall be held between the two candidates receiving the highest number of votes. If more than one candidate receives an equal number of votes in the second place, all such candidates shall participate in the second ballot. In this case, the candidate who receives the greatest number of votes shall be elected. If there is a tie in this last ballot, the choice shall be by lot.

(3) **The Prime Minister shall preside over the first sitting until the Speaker has been elected.**

**Article 55 [Committees]**

The Assembly shall form, within the first week of its annual session, the committees necessary for its functions. These committees may discharge their duties during the recess of the Assembly with a view to submitting their recommendations to it when it meets.

**Article 57 [Election Disputes]**

**The Supreme Civil Court of Appeal** shall be the competent authority to deal with election disputes of the National Assembly, but this competence may be transferred to any higher court which may be set up by law.

**Article 63 [Resignation]**

The Chamber of Deputies is the authority competent to accept a resignation from its membership. The resignation shall be deemed final only from when the Chamber decides to accept it, **and the place shall become vacant from the date of that acceptance.**

**Article 64 [Dissolution]**

- a. If the Chamber of Deputies is dissolved, elections for a new Chamber of Deputies must be held not later than **four months** from the date of dissolution. If elections are not held during that period the dissolved Chamber of Deputies shall regain its full constitutional powers, and meets immediately as though the dissolution never occurred, and shall continue its business until a new Chamber is elected.
- b. Notwithstanding the preceding clause, the King may defer election of the Chamber of Deputies if there are compelling circumstances whereby the Council of Ministers considers holding elections is not possible.
- c. If the compelling circumstances mentioned in the preceding clause continue, the King, taking the opinion of the Council of Ministers, may restore the dissolved Chamber of Deputies and invite it to convene. This Chamber of Deputies shall be regarded as extant from the date of promulgation of the Royal Decree restoring it. It shall exercise its full constitutional powers. The provisions of this Constitution shall apply to it including those pertaining to completion of the Chamber's term and dissolution. The session the Chamber holds in such a case shall be regarded as its first session irrespective of the date of its commencement.

**Article 65 [Interpellation]**

- (1) **Upon an application signed by at least five members** of the Chamber of Deputies, any

**Article 58 [Resignations]**

The National Assembly shall be the competent authority to accept resignation of its members, and no resignation shall be considered final except from the time the Assembly has decided to accept it.

**Article 65 [Dissolution]**

- (1) The Amir may dissolve the National Assembly by a decree in which the reasons for dissolution shall be indicated.
- (2) However, dissolutions of the Assembly may not be repeated for the same reason.
- (3) In the event of dissolution, elections for the new Assembly shall be held within a period not exceeding **two months** from the date of dissolution.
- (4) If the elections are not held within the said period, the dissolved Assembly shall be restored to its full constitutional authority and shall meet immediately as if the dissolution had not taken place. The Assembly shall then continue functioning until a new Assembly is elected.

**Article 67 [Interpellations]**

- (1) **Every member of the National Assembly** may address to the Prime Minister

Minister may be questioned on matters coming within his sphere of competence.

(2) The question must not pertain to a private interest of the questioner or his relatives to the fourth degree, or be made by his proxy.

(3) The question shall not be debated until at least eight days after the day on which the question was posed, unless the Minister agrees to bring the debate forward.

(4) The question may lead to the matter of confidence in the Minister being put to the Chamber of Deputies under the provisions of Article 66 of this Constitution.

#### **Article 66 [Responsibility, Vote of No-Confidence]**

a. Each Minister shall be responsible to the Chamber of Deputies for the business of his Ministry.

b. A question of confidence in a Minister may be put forward only at his own wish or upon an application signed by at least ten members of the Chamber of Deputies following the debate of the question put to him, and the Chamber may not give its decision on the application until seven days after its submission.

c. If the Chamber of Deputies decides by a majority of two-thirds of its members to give a vote of no confidence in a Minister, he shall be regarded as having withdrawn from the Ministry from the date of the no-confidence vote, and he shall submit his resignation forthwith.

and to Ministers interpellations with regard to matters falling within their competence.

(2) The debate on such interpellations shall not take place until at least eight days have elapsed after its presentation, unless the Minister concerned agrees to hold the debate earlier.

(3) An interpellation may lead to the vote of confidence being put to the Assembly in 68accordance with the provisions of Articles of this Constitution.69and

#### **Article 68 [Ministerial Reports]**

(1) (a) Every Minister shall report to the National Assembly on the affairs of his Ministry.

(b) The question of confidence in a Minister may not be raised except upon his request or upon demand signed by ten members following a debate on an interpellation addressed to him. The Assembly may not make its decision upon such a request before the lapse of seven days from the presentation thereof.

(c) If the Assembly passes a vote of no confidence against a Minister he shall be considered to have resigned his office as from the date of the vote of no confidence and shall submit his formal resignation immediately.

(2) Withdrawal of confidence from a Minister shall be by a majority vote of the members constituting the National Assembly excluding Ministers.

(3) In all cases, Ministers shall not participate in the vote of confidence.

**Article 67 [Limitations]**

a. The subject of confidence in the Prime Minister shall not be raised in the Chamber of Deputies.

b. If, two-thirds of members of the Chamber of Deputies consider it not possible to cooperate with the Prime Minister, **the matter will be referred to the National Assembly to consider it.**

c. The National Assembly cannot issue its decision on the lack of possibility of cooperating with the Prime Minister prior to seven days from the date the matter was referred to it.

d. If the National Assembly decides by a majority of two thirds of its members that it is not possible to cooperate with the Prime Minister, the matter is submitted to the King for a decision, either by relieving the Prime Minister of his post and appointing a new Government, or by dissolving the Chamber of Deputies.

**Article 68 [Wishes]**

The Chamber of Deputies may express its wishes in writing to the Government on public matters. If the Government finds itself unable to meet these wishes, it must give its reasons in writing to the Chamber.

**Article 69 [Commissions of Inquiry]**

(1) The Chamber of Deputies may at any time form commissions of inquiry or delegate one or more of its members to investigate any **matter coming within the powers of the Chamber stated in the Constitution, and the**

**Article 69 [Questions of Confidence]**

(a) The question of confidence in the Prime Minister shall not be raised before the National Assembly, **unless out of necessity, he holds a portfolio with the premierships, and then he may be questioned about the affairs of such portfolio like any other minister.**

(b) If two-thirds of the members of the National Assembly decide, in the manner specified in Article 68 of this Constitution, that they cannot co-operate with the Prime Minister, the matter shall be submitted to the Amir for settlement. The Amir may either relieve the Prime Minister of office and appoint a new Cabinet or dissolve the National Assembly. If the Assembly is dissolved and the office of the said Prime Minister is renewed but the new Assembly decide by a majority vote of the members constituting the National Assembly that it cannot co-operate with the said Prime Minister, **he shall be considered to have resigned his office as from the date of the decision of the Assembly in this respect** and a new Cabinet shall be formed.

**Article 73 [Wishes]**

The National Assembly shall express its wishes to the Government regarding public matters. If the Government cannot comply with these wishes, it shall state to the Assembly the reasons therefore. **The Assembly may comment once on the Government's statement.**

**Article 74 [Committees of Enquiry]**

The National Assembly shall at all times have the right to set up committees of enquiry or to depute one or more of its members to investigate any matter within the assembly's competence as prescribed in the Constitution.

<p><u>commission or member is to present the findings of the inquiry not later than four months from the date of commencement of the inquiry.</u></p> <p>(2) Ministers and all State employees are to provide such testimony, documents, and statements as are asked of them.</p> <p><b>Part 3 Provisions Common to Both Chambers</b></p> <p><b>Article 70 [Legislation]</b> No law shall be promulgated unless <u>approved by both the Consultative Council and the Chamber of Deputies</u>, or the National Assembly as the situation demands, and ratified by the King.</p> <p><b>Article 71 [Sessions]</b> The National Assembly shall convene on the second Saturday in the month of October unless the King decides to invite it to convene before this date. If that day is an official holiday, it shall convene on the first working day following that holiday.</p> <p><b>Article 72 [Length of Sessions]</b> The normal convening period for both the Consultative Council and the Chamber of Deputies shall last for at least <u>seven months</u>, and this convening period may not be closed before the budget is approved.</p> <p><b>Article 73 [Convening Period]</b> (1) As an exception to the provisions of the two foregoing Articles, the National Assembly shall convene on the day following the expiry of one month from the date of appointment of</p>	<p>Ministers and all Government officials must produce testimonials, documents, and statements requested from them.</p> <p><b>Article 42 [National Assembly]</b> No law may be promulgated unless it has been <u>passed by the National Assembly</u> and ratified by the Amir.</p> <p><b>Article 48 [Initial Session]</b> The Assembly shall start its ordinary session during the month of October of every year upon a convocation by the Amir. If the decree of convocation is not issued before the first of the said month, the time for the meeting shall be deemed 9 a.m. on the third Saturday of that month. If such a day happens to be an official holiday, the Assembly shall meet in the morning of the first day following the holiday.</p> <p><b>Article 47 [Sessions]</b> The National Assembly shall have an annual session of not less than <u>eight months</u>. The said session may not be prorogued before the budget has been approved.</p> <p><b>Article 49 [Special Sessions]</b> Notwithstanding the provisions of the preceding two Articles, the Amir shall summon the National Assembly to hold its first meeting within two weeks from the end</p>
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<p>the Consultative Council or election of the Chamber of Deputies whichever occurs later, unless the King decides to invite it to convene before that date.</p> <p>(2) If the date of convening the National Assembly in that period is later than the annual of the <u>71</u> date prescribed in Article Constitution, the convening period prescribed of the Constitution shall be <u>72</u> in Article reduced by the amount of the difference between the two aforesaid dates.</p> <p><b>Article 74 [King's Address and Reply]</b> The King shall inaugurate the ordinary convening period of the National Assembly with a royal address. He may delegate the Crown Prince or whomever he decides to inaugurate the convening period and deliver the royal address on his behalf. Each of the two chambers shall choose a committee from among its members to prepare the draft reply to the address, and each chamber shall submit its reply to the King after it is approved.</p> <p><b>Article 75 [Extraordinary Sessions]</b> (1) <u>Both the Consultative Council and the Chamber of Deputies</u> shall be called, by Royal Decree, to meet in extraordinary session if the King deems it necessary, or if so requested by a majority of members of either chamber.</p>	<p>of the general election. If the decree of convocation is not issued within the said period, the Assembly shall be deemed to have been convoked for the morning of the day immediately following these two weeks, due regard being given to the provision of the second paragraph of the preceding Article. If the date of the meeting of the Assembly falls <u>48</u> after the annual date mentioned in Article of the Constitution, the duration of the session herein shall be reduced <u>47</u> specified in Article by the difference between the said two dates.</p> <p><b>Article 61 [Opening Speech]</b> (1) The Amir shall open the annual session of the National Assembly whereupon he shall deliver an Amiri Speech reviewing the state of affairs of the country and the most important public matters which happened during the preceding year, and outlining the projects and reforms the Government plans to undertake during the coming year. (2) The Amir may depute the Prime Minister to open the Assembly or to deliver the Amiri Speech.</p> <p><b>Article 62 [Responding Speech]</b> The National Assembly shall choose, from amongst its members, a committee to draft the reply to the Amiri Speech which will embody the comments and wishes of the Assembly. After the reply has been approved by the Assembly, it shall be submitted to the Amir.</p> <p><b>Article 50 [Extraordinary Sessions]</b> (1) <u>The National Assembly</u> shall, by decree, be called to an extraordinary session if the Amir deems it necessary, or upon the request of the majority of the members of the Assembly. (2) In an extraordinary session, the Assembly</p>
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<p>(2) When in extraordinary session the two chambers may not consider matters other than those for which it has been called to convene.</p> <p><b>Article 76 [Closing of Sessions]</b> The King shall declare ordinary and extraordinary convening periods closed by Royal Order.</p> <p><b>Article 77 [Place and Time]</b> Any meeting of the Consultative Council or the Chamber of Deputies which is not held at the prescribed time and place shall be null and void and decisions taken thereat shall be invalid.</p> <p><b>Article 78 [Oath of Office]</b> Every member of the Consultative Council or the Chamber of Deputies shall take the following oath in public session, prior to pursuing their work in the Chamber or its committees: <i>"I swear by Almighty God that I shall be loyal to the country and the King, shall respect the Constitution and the laws of the State, shall defend the freedoms, interests and assets of the people, and shall perform my work honestly and sincerely."</i></p> <p><b>Article 79 [Publicity]</b> Sessions of the Consultative Council and the Chamber of Deputies shall be open to the public. They may be held in secret at the request of the Government, the President of the Chamber, or ten members, and the request shall be debated in secret session.</p> <p><b>Article 80 [Quorum]</b> (1) For a meeting of both the Consultative Council and the Chamber of Deputies to be valid, a quorum of more than half the members of each chamber must be present. Decisions</p>	<p>may not consider matters other than those for which it has been convened except with the consent of the Government.</p> <p><b>Article 51 [Announcement]</b> The Amir shall announce the prorogation of ordinary and extraordinary sessions, by a decree.</p> <p><b>Article 52 [Time and Place]</b> Every meeting held by the National Assembly at a time or place other than that assigned for its meeting shall be invalid, and resolutions passed thereat shall be null and void.</p> <p><b>Article 53 [Oath of Office]</b> Before assuming their duties in the Assembly or its committees, members of the National Assembly, including the Ministers, shall take the following oath in a public sitting: <i>"I swear by Almighty God to be faithful to the Country and to the Amir, to respect the Constitution and the laws of the State, to defend the liberties, interests and properties of the people and to discharge my duties honestly and truthfully."</i></p> <p><b>Article 56 [Publicity]</b> Sittings of the National Assembly shall be public. However, they may be held in camera upon the request of the Government, the Speaker of the Assembly or ten of its members. The debate on such request shall be held in camera.</p> <p><b>Article 59 [Quorum]</b> (1) For a meeting of the National Assembly to be valid, more than half of its members must be present. Resolutions shall be passed by an absolute majority of the members present,</p>
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shall be taken on an absolute majority of members present, except in cases where a special majority is stipulated. In the event of a tied vote, the matter shall be decided in favour of the side that includes the President of the chamber. If the voting relates to the Constitution, voting shall be conducted by calling upon members by name.

(2) If there is a lack of quorum for either chamber to convene on two successive occasions, the meeting of the chamber shall be deemed valid provided that the number of members attending is not less than one quarter of the chamber's members.

#### **Article 81 [Initiative]**

The Prime Minister shall present bills to the Chamber of Deputies, which is entitled to pass, amend, or reject the bill. In all cases the bill shall be referred to the Consultative Council, which is entitled to pass, amend or reject the bill or to accept any amendments which the Chamber of Deputies had introduced to the bill, or had rejected or amended them. However, priority of debate shall always be given to bills and proposals put forward by the Government.

#### **Article 82 [Reconsideration]**

If the Consultative Council does not approve a bill passed by the Chamber of Deputies, whether the Consultative Council's decision involves rejection, amendment, deletion or addition, the President of the Council shall return it to the Chamber of Deputies for reconsideration.

#### **Article 83 [Submission]**

If the Chamber of Deputies accepts the bill as it receives it from the Consultative Council, the President of the Consultative Council shall refer it to the Prime Minister who will submit it

except in cases where a special majority is required.

(2) When the votes are equally divided, the motion shall be deemed rejected.

to the King.

**Article 84 [Amendments]**

The Chamber of Deputies may reject any amendment made to a bill by the Consultative Council, and may insist on its previous decision without introducing any new amendments to the bill. In such a case, the bill shall be returned to the Consultative Council for reconsideration. The Consultative Council may accept the decision of the Chamber of Deputies or insist on its previous decision.

**Article 85 [Disputes, Joint Session]**

If the two Chambers differ twice over any bill, the National Assembly shall convene in joint session under the chairmanship of the President of the Consultative Council to discuss those clauses in dispute. For the bill to be accepted, the decision of the National Assembly must be taken on a majority of members present, and when the bill is rejected in this manner it shall not be presented to the National Assembly again in the same convening period.

**Article 86 [Approved Bill]**

In all cases in which a bill is approved, the President of the Consultative Council shall refer the approved bill to the Prime Minister so that he submits it to the King.

**Article 87 [Budget]**

Every bill that regulates economic or financial matters, and the Government requests its urgent consideration, shall first be submitted to the Chamber of Deputies so that it takes a decision on it within fifteen days. When that period elapses, the bill is presented to the Consultative Council with the opinion of the Chamber of Deputies if there is such an opinion, so that the Consultative Council decides on it within a further period of fifteen

days. If the two Chambers should disagree on the bill in question, the matter is referred to the National Assembly for a vote on it within fifteen days. If the National Assembly does not reach a decision on it within that period, the King may issue the bill as a Decree that has the force of a law.

**Article 88 [Governmental Program]**

As soon as it is formed, each Government shall submit its program to the National Assembly, which may put forward any observations it deems appropriate regarding the program.

**Article 89 [Representation, Immunity]**

(1) a. **A member of either the Consultative Council or the Chamber of Deputies**

represents the people and cares for public interest. He shall not come under the sway of any authority in his work in the either chamber or its committees.

b. No member of the Consultative Council or the Chamber of Deputies shall be called to account for expressing his opinions or ideas in the Council or its committees unless the opinion expressed is prejudicial to the fundamentals of the religion or the unity of the nation, or the mandatory respect for the King, or is defamatory of the personal life of any person.

c. Other than in a case of *flagrante delicto*, it shall be impermissible during the convening period for any detention, investigation, search, arrest or custodial procedures or any other penal action to be taken against a member except with the permission of the chamber of which he is a member. Outside the convening period, permission must be sought from the President of the relevant chamber.

(2) The non-issue of a decision by the chamber or its President on the permission which is

**Article 60 [Program]**

Immediately upon its formation, every Cabinet shall present its program to the National Assembly, and the Assembly may make comments with regard to such a program.

**Article 63 [Representation]**

(1) (a) A member of the National Assembly represents the entire people. He shall safeguard the public interest and shall not be subject to any authority in the discharge of his duties in the Assembly or in its committees.

(b) A member of the National Assembly shall be free to express any views or opinions in the Assembly or in its committees, and under no circumstances shall he be held liable in respect thereof.

(c) Except in cases of *flagrante delicto*, no measures of detention, investigation, search, arrest, imprisonment or any other penal measure may be taken against a member while the Assembly is in session without the authorization of the Assembly. If the National Assembly is not in session, authorisation shall be obtained from the Speaker of the Assembly.

(2) If the Assembly does not give a decision regarding a request for authorisation within one month from the date of its receipt, permission shall be deemed to have been granted.

(3) The Assembly shall be notified of any measure that may be taken during its session

being sought within one month from the date of receipt of the request shall be regarded as permission.

(3) The chamber must be informed of any measures which may be taken under the preceding paragraph while it is convened, **and it must invariably be informed at its first session of any action taken against a member during the chamber's annual recess.**

#### **Article 90 [Postponement]**

The King may by Royal Order postpone the convening of the National Assembly for not more than **two months**, and such postponement shall not be repeated more than once in any one convening period. The period of postponement shall not be counted within of 72the convening period provided by Article this Constitution.

#### **Article 91 [Questions]**

(1) Any member of the Consultative Council or the Chamber of Deputies may direct written questions at Ministers to clarify matters coming within their sphere of competence, and only the questioner may comment once on the reply. If the Minister adds anything new, the member shall be further entitled to comment.

(2) **The question may not relate to an interest of the questioner or his relatives to the fourth degree, or be made by proxy.**

#### **Article 92 [Initiatives]**

a. **Fifteen members of the Consultative Council or the Chamber of Deputies are entitled to request proposing an amendment to the Constitution. Any member of the two chambers is entitled to propose laws. Each proposal shall be referred to the relevant committee in the chamber in which the**

in accordance with the foregoing paragraph.

The Assembly shall always, at its first meeting, be notified of any measure taken against any of its members during its annual recess.

#### **Article 64 [Adjournment]**

The Amir may, by a decree, adjourn the meeting of the National Assembly for a period not exceeding **one month**.

Adjournment may be repeated during the same session with the consent of the Assembly, and then once only. The period of adjournment shall not be counted in computing the duration of the session of this Constitution.47provided for in Article

#### **Article 66 [Questions]**

Every member of the National Assembly may put to the Prime Minister and to Ministers, questions with a view to clarifying matters falling within their competence. The questioner alone shall have the right to comment once on the answer, and if the Minister adds something new then the right of the member shall be renewed.

proposal was made for an opinion. If the chamber sees fit to accept the proposal, it shall refer it to the Government to formulate it as a draft amendment of the Constitution or as a draft law and present it to the Chamber of Deputies during the same or succeeding period.

b. Any proposal for a law which has been presented in accordance with the preceding paragraph and rejected by the chamber to which it was presented may not be re-represented during the same convening period.

**Article 93 [Ministerial Right to Speak, Duty to Attend]**

(1) The Prime Minister and Ministers may attend sessions of the Consultative Council and Chamber of Deputies, and both chambers shall listen to the Prime Minister and Ministers whenever they ask to speak. They may co-opt such senior officials or their deputies as they may wish.

(2) A chamber may require the competent Minister to attend when a matter relating to his Ministry is being debated.

**Article 94 [Regulations]**

a. The regulations for the course of business in both the Consultative Council and the Chamber of Deputies and their committees, and the principles governing debate, voting, questioning, cross-examination and all the powers prescribed in the Constitution shall be prescribed by law, and similarly the penalties for a member being in breach of the regulations or failing to attend chamber or committee sessions without acceptable excuse.

b. Each chamber may add to the law that regulates it such supplementary provisions as it sees fit.

**Article 76 [Ministerial Right to Speak]**

The Prime Minister and Ministers shall be given the floor whenever they ask for it.

They may call for assistance upon any senior officials or depute them to speak on their behalf. The Assembly may ask for a Minister to be present whenever a matter relating to his Minister is under discussion. The Cabinet shall be represented in the sittings of the Assembly by the Prime Minister and by some Ministers.

**Article 77 [Law of Procedure]**

(a) The law shall prescribe the procedure of the National Assembly and its committees and the rules pertaining to discussion, voting, questions, interpellation and all other functions prescribed in the Constitution. The law shall also prescribe the sanctions to be imposed on any member who violates order or absents himself from the meetings of the Assembly or the committees without good cause or legitimate reason.

(b) The National Assembly may make necessary regulations complementary to the law referred to in the preceding clause.

**Article 95 [Order]**

(1) Maintenance of order within the Consultative Council and Chamber of Deputies is a matter for its President. Guards shall be allocated to each chamber and they will receive their orders from the chamber's President.

(2) No armed force may enter either chamber of the National Assembly or remain in the vicinity of its doors unless so requested by its President.

**Article 96 [Remuneration]**

The remuneration of members of the Consultative Council and Chamber of Deputies shall be laid down by law. If this remuneration is amended, such amendment shall not take effect until the start of the next legislative season.

**Article 97 [Incompatibilities]**

Membership of the Consultative Council and Chamber of Deputies may not be combined, nor may membership of either chamber be combined with the assumption of public office. Other cases of non-combination shall be prescribed by law.

**Article 98 [Economic Incompatibilities]**

(1) During his period of membership a member of the Consultative Council or the Chamber of Deputies may not be appointed to the board of directors of a company or participate in contracts concluded by the Government or public institutions except in those cases prescribed by law.

(2) Nor during that period may he purchase or rent a State asset, or lease, sell or barter any of his assets to the State, unless by way of public auction or invitation to tender or application of

**Article 78 [Order]**

The maintenance of order in the National Assembly shall be the responsibility of its Speaker. The Assembly shall have a special guard under the authority of the Speaker of the Assembly. No other armed force may enter the Assembly or be stationed close to its gate unless so required by the Speaker.

**Article 79 [Remuneration]**

Remuneration of the members of the National Assembly shall be fixed by a law. In the event of a revision of the said remuneration, such revision shall not take effect until the next legislative term.

**Article 80 [Incompatibilities]**

(1) Membership of the National Assembly shall be incompatible with public office except in the case of Ministers. In such cases, the right to the remuneration for membership and the right to the salary of the portfolio shall not be combined.

(2) The law shall specify other cases of incompatibility.

**Article 81 [Economic Incompatibilities]**

(1) During his term, a member of the National Assembly shall not be appointed to the board of directors of a company, nor shall he participate in concessions granted by the Government for by public bodies, except in those cases prescribed by the law.

(2) Further, during the said term, he shall not buy or rent any property of the State nor shall he let, sell, or barter any of his property to the State, except by public auction or tender, or in compliance with the system of compulsory

the regulations governing expropriation in the public interest.

**Article 99 [Incompetence]**

If a state of incompetence arises with respect to a member of Consultative Council and Chamber of Deputies during his membership, his membership shall be abrogated, and his place become vacant on a decision taken by two-thirds of the members of the chamber of which he is a member. The membership of a member of the Consultative Council or Chamber of Deputies may also be abrogated for loss of confidence or esteem or for being in breach of the duties of membership. A decision to abrogate membership must secure a two-thirds majority of the members of the chamber of which he is a member. If taken by the Consultative Council, the decision shall be submitted to the King for approval.

**Article 100 [Decorations]**

Members of the Consultative Council and Chamber of Deputies shall not be awarded medals or decorations during their term of membership.

**Part 4 Provisions on the Convening of the National Assembly**

**Article 101 [Sessions]**

In addition to the occasions when both chambers of Consultative Council and Chamber of Deputies, that is the National Assembly, convene as a congress under the Constitution, the King may call such a meeting of his own initiative or at the request of the Prime Minister.

**Article 102 [Chairmanship]**

The joint National Assembly meeting shall be chaired respectively by the President of the Consultative Council, or in his absence by the

acquisition.

**Article 82 [Decorations]**

During their term, members of the National Assembly with the exception of Ministers may not be awarded decorations.

President of the Chamber of Deputies, followed by the First Vice-President of the Consultative Council, followed by the First Vice-President of the Chamber of Deputies.

**Article 103 [Quorum]**

In the cases other than those in which the Constitution requires a special majority, joint sessions of the two chambers of the National Assembly shall not be deemed legally valid unless they are attended by the majority of the members of each individual chamber.

Decisions shall be taken by a majority of the votes of members present with the exception of the President, who is to cast the decisive vote in the event of a tie.

**Article 71 [Initiative]**

A member of the National Assembly shall have the right to initiate bills. A bill initiated by a member and rejected by the Assembly may not be re-introduced during the same session except with the approval of the Government.

**Article 72 [Discussion]**

(1) Upon a request signed by at least five members, any subject of general interest may be put to the National Assembly for discussion with a view to securing clarification of the Government's policy and to exchange views thereon.

(2) All other members shall also have the right to participate in the discussion.

**Article 75 [Committee for Petitions]**

(1) The Assembly shall set up, among its annual standing committees, a special committee to deal with petitions and complaints submitted to the Assembly by citizens. The committee shall seek explanation thereon from the competent authorities and shall inform the person

**Section 4 The Judicial Authority**

**Article 104 [Independence, Public Prosecutor]**

- a. The honour of the judiciary, and the probity and impartiality of judges, is the basis of government and the guarantee of rights and freedoms.
- b. No authority shall prevail over the judgment of a judge, and under no circumstances may the course of justice be interfered with. The law guarantees the independence of the judiciary, and the law shall lay down the guarantees of judges and the provisions pertaining to them.
- c. The law shall lay down the provisions pertaining to the Public Prosecution Office, the tasks of the office for delivery of formal legal opinions, the preparation of legislation, State representation before the law, and personnel employed on such matters.
- d. The provisions governing advocacy shall be regulated by law.

**Article 105 [Courts]**

- a. The various types and degrees of the courts shall be regulated by law, and the law shall state their functions and jurisdiction.
- b. The jurisdiction of military courts shall be confined to military offences committed by members of **the Defence Force, the National Guard, and the Security Forces.** It does not extend to other persons except when martial law is declared and within the bounds prescribed by law.
- c. Court hearings shall be held in public except in exceptional cases prescribed by law.
- d. A Higher Judicial Council shall be

concerned of the result.

(2) A member of the National Assembly shall not interfere with the work of either the Judicial or the Executive Power.

**Chapter IV Judicial Power**

**Article 101 [Independence]**

- (a) The honour of the judiciary and the integrity and impartiality of judges are the bases of rule and a guarantee of rights and liberties.
- (b) In the administration of justice judges shall not be subject to any authority. No interference whatsoever shall be allowed in the conduct of justice. The law shall guarantee the independence of the judiciary and shall state the guarantees and provisions relating to the judges.
- (c) The law shall specify the rules for public prosecution, rendering of legal opinions, drafting of legislation and representation of the State before the courts and before those who are engaged in these matters.
- (d) The law shall regulate the legal profession.

**Article 102 [Courts]**

- (a) The law shall regulate the various kinds and degrees of courts and specify their functions and jurisdictions.
- (b) The jurisdiction of courts martial shall be restricted to military crimes committed by members of **the armed and security forces** and shall not extend to others except during the time of martial law and within the limits determined by law.
- (c) Sittings of the courts shall be public save in exceptional cases prescribed by the law.
- (d) A Supreme Council of the judiciary shall

established by law to supervise the smooth running of work in the courts and their supporting organs. The powers of the Higher Judicial Council in the functional affairs of judicial personnel and the Public Prosecution Office shall be prescribed by law.

**Article 106 [Constitutional Court]**

(1) A Constitutional Court shall be established, and shall comprise a President and six members, all of whom are appointed by a Royal Order for a period specified by the law. The court's area of competence is to watch over the constitutionality of laws and statutes.

(2) The law shall state the regulations that ensure that the members of the Court are not liable to dismissal, and specifies the procedures that are followed before the Court. The law shall guarantee the right of the Government, Consultative Council, the Chamber of Deputies and notable individuals and others to challenge before the Court the constitutionality of laws and statutes. A ruling by the Court that a text in a law or a statute is unconstitutional shall have a direct effect, unless the Court specifies a subsequent date for the purpose. Thus if the Court's rule on unconstitutionality is related to a text in the penal code then the convictions made on the basis of such a text are deemed null and void.

(3) The King may refer to the Court any draft laws before they are adopted to determine the extent of their agreement with the Constitution. The Court's determination is binding on all State authorities and on everyone.

**Chapter V Financial Affairs**

**Article 107 [Taxes]**

a. Public taxes shall only be established, amended and abolished by law, and persons shall only be exempted from paying them wholly or in part in those cases prescribed by

be formed by a law which shall supervise the functions of the Courts and the offices relating thereto.

The law shall specify the jurisdiction of the said Council over the functional affairs of both the judiciary and the public prosecution.

**Article 103 [Constitutional Jurisdiction]**

(1) The law shall specify the judicial body competent to decide upon disputes relating to the constitutionality of laws and regulations and shall determine its jurisdiction and procedure.

(2) The law shall ensure the right of both the Government and interested parties to challenge the constitutionality of laws and regulations before the said body.

(3) If the said body decides that a law or a regulation is unconstitutional it shall be considered null and void.

**Section II Financial Affairs**

**Article 88 [Taxation]**

(a) No general tax may be established, amended or abolished except by law. No one may be exempted, wholly or partially, from the payment of such taxes except in the cases

law. A person may only be instructed to pay other taxes, duties, and costs within the bounds of the law.

b. The provisions governing the collection of taxes, duties and other public monies, and the procedures for their disbursement, shall be prescribed by law.

c. The provisions governing the maintenance and management and the terms for the disposition of State property, and the limits within which any part of such property may be assigned, shall be prescribed by law.

#### **Article 108 [Public Loans]**

a. Public loans shall be contracted by law. The State may lend or guarantee a loan by law within the credit limits prescribed for the purpose in the Budget Law.

b. Local bodies such as municipalities or public institutions may lend, borrow, or guarantee a loan in accordance with the laws relevant to them.

#### **Article 109 [Budget]**

a. The financial year shall be prescribed by law.

b. The Government shall prepare the draft overall annual budget of State revenue and expenditure and **present it to the Chamber of Deputies at least two months before the end of the financial year, for debate and referral to the Consultative Council to consider it in accordance with the provisions of the Constitution. Any amendment can be introduced into the budget with the agreement of the Government.**

c. The budget shall be debated on the basis of the classification of its contents. **The budget may be prepared for more than one financial year.** No public revenue may be allocated for a particular expenditure except by law.

specified by the law. No one may be required to pay any other tax, fee, or imposition except within the limits of the law.

(b) The law shall prescribe rules for the collection of taxes, fees and other forms of public funds and the procedure for their expenditure.

(c) The law shall lay down rules for the protection of State properties, their administration, the conditions of their disposal, and the limits within which any of these properties may be relinquished.

#### **Article 89 [Public Loans]**

(a) Public loans shall be contracted by law. The State may grant or guarantee a loan by a law, or within the limits of the funds appropriated for this purpose in the budget.

(b) Local bodies such as municipalities or public bodies may grant, borrow, or guarantee loans in accordance with their own regulations.

#### **Article 90 [Budget]**

(a) The fiscal year shall be fixed by a law.

(b) The Government shall draw up the annual budget, comprising the revenue and expenditure of the State, and **submit it to the National Assembly** for examination and approval, at least two months before the end of each current fiscal year.

(c) The budget shall be discussed in the National Assembly part by part. None of the public revenues may be allocated for a specific purpose except by a law.

(d) The budget shall be issued by a law.

(e) If the budget law has not been promulgated before the beginning of the fiscal year, the preceding budget shall be applied until the new one is issued, and revenues shall be collected and disbursements made in accordance with the law in force at

<p>d. The State general budget shall be promulgated by law.</p> <p>e. If the Budget Law is not promulgated before the beginning of the financial year, the previous budget shall be adhered to until the law's promulgation, and revenue shall be collected and expenditure disbursed in accordance with the laws in force at the end of that year.</p> <p>f. Under no circumstances may the maximum estimates of expenditure stated in the Budget Law and laws in amendment thereof be exceeded.</p> <p><b>Article 110 [Ex-Budgetary Disbursement]</b> Any disbursement which is ex-budget or in excess of the budget estimates must be made by operation of law.</p> <p><b>Article 111 [Funds]</b> a. Particular sums of money may be allocated to more than one financial year by law if the nature of the disbursement so requires. The appropriations for each, as decided by the aforesaid law, shall be tabled in the successive annual budgets of the State. b. An exceptional budget running for more than one financial year may also be allocated for the disbursement referred to in the preceding clause.</p> <p><b>Article 112 [Budget Law]</b> The Budget Law may not contain any wording establishing a new tax, increasing an existing tax, or amending an existing law, or avoiding the promulgation of a law on a matter for which the Constitution provides that it shall be regulated by law.</p>	<p>the end of the preceding year. However, if the National Assembly has approved one or more parts of the new budget, they shall be put into effect. (f) In no case shall the maximum estimates of expenditure, included in the budget law or the laws amending it, be exceeded.</p> <p><b>Article 91 [Expenditure]</b> Any expenditure not included in the budget, or in excess of the budget appropriations, <u>as well as the transfer of any funds from one part of the budget to another, shall be effected by a law.</u></p> <p><b>Article 92 [Funds]</b> (a) Funds for more than one fiscal year may be appropriated by a law if the nature of the expenditure so requires. In this case, each annual successive budget shall include the funds allocated for that year in the way established by the said law. (b) An extraordinary budget valid for more than one fiscal year may be drawn up separately for the expenditure referred to in the preceding item.</p> <p><b>Article 93 [New Taxes]</b> The budget law may not include any provision for establishing a new tax, increasing an existing law, or evading the issue of a law on a matter in respect of which this Constitution provides that its regulation shall be by a law.</p>
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<p><b>Article 113 [Final Account]</b>  The final account of the financial affairs of the State for the year elapsed shall be submitted firstly to the Chamber of Deputies during the five months following the end of the financial year. It shall be approved by a decision rendered by both the Consultative Council and Chamber of Deputies, accompanied by their observations, and shall be published in the Official Gazette.</p> <p><b>Article 114 [Accounting Procedures]</b>  The provisions pertaining to independent public budgets, their appendices, and their final accounts, shall be laid down by law, and they shall be subject to the provisions governing the State budget and its final account. The provisions governing the budgets and final accounts of municipalities and local public institutions shall also be laid down by law.</p> <p><b>Article 115 [Budget Bill]</b>  Together with the draft annual budget the Government shall present the Chamber of Deputies with a statement on the financial and economic condition of the State, the measures taken to implement the budget appropriations in force, and the effect of the whole thereof on the new draft budget.</p> <p><b>Article 116 [Financial Control Office]</b>  A Financial Control Office shall be established by law, and the law shall guarantee its independence. It shall assist the Government and the Chamber of Deputies in controlling the collection of State revenues and the disbursement of its expenditure within the budget limits. The Office shall submit an annual report on its business, with its observations, to both the Government and the Chamber of Deputies.</p>	<p><b>Article 94 [Account]</b>  The final account of the financial affairs of the State for the preceding year shall be submitted to the National Assembly within the five months following the end of the fiscal year. The ratification of the final account shall be by a decision of the National Assembly, together with its comments.</p> <p><b>Article 95 [Law on Budget Procedures]</b>  The law shall prescribe the provisions of both the independent and the supplementary general budgets and the final accounts thereof to which the provisions regarding the budget of the State and the final account thereof shall be applied. The law shall also prescribe the provisions of the budget and the final accounts thereof of the municipalities and the public bodies.</p> <p><b>Article 96 [Draft of Budget]</b>  Together with the draft annual budget, the Government shall submit to the National Assembly a statement on the financial and economic position of the State and arrangements made to implement the appropriation of the budget in effect and the effect thereof on the new draft budget.</p> <p><b>Article 97 [Auditing]</b>  A financial control and audit commission shall be established by a law, which shall ensure its independence. <b><u>The commission shall be attached to the National Assembly</u></b> and shall assist the Government and the National Assembly in controlling the collection of the State revenues and the disbursement of its expenditures within the limits of the budget. The commission shall submit to both the Government and the</p>
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<p><b>Article 117 [Concessions, Monopolies]</b></p> <p>a. Any commitment to exploit a natural resource or a public utility shall be only by operation of law and for a limited time. The preliminary procedures shall ensure that the search and exploration work are facilitated and that openness and competition are realised.</p> <p>b. Any monopoly shall only be awarded by law and for a limited time.</p> <p><b>Article 118 [Currency, Banking, Standards]</b></p> <p>The law shall regulate cash and the banks, and shall regulate weight, measures, and standards.</p> <p><b>Article 119 [Public Salaries]</b></p> <p>The law shall regulate emoluments, pensions, compensation, relief, and remuneration being a charge on the State Treasury.</p> <p><b>Chapter VI General and Final Provisions</b></p> <p><b>Article 120 [Constitutional Amendments]</b></p> <p>a. Exceptionally to clauses b, c and d of Article 35 of this Constitution, for any provision of this Constitution to be amended <u>the amendment must be approved by a two-thirds majority of the members of whom both the Consultative Council and Chamber of Deputies</u> are composed, and the amendment must be approved by the King.</p> <p>b. If an amendment to the Constitution is refused, it may not be re-submitted earlier than one year from that refusal.</p> <p>c. It is not permissible to propose an amendment to Article 2 of this Constitution, and it is not permissible under any circumstances to propose the amendment of the constitutional monarchy and the principle of</p>	<p>National Assembly an annual report on its activities and its observations.</p> <p><b>Article 98 [Concessions, Monopolies]</b></p> <p>(a) No concession for exploitation of either a natural resource or a public service may be granted except by a law and for a limited period. In this respect, the preparatory measures shall facilitate the operations of prospecting and exploration and ensure publicity and competition.</p> <p>(b) No monopoly shall be granted except by a law for a limited period.</p> <p><b>Article 99 [Currency, Banking, Standards]</b></p> <p>The law shall regulate currency and banking and determine standards, weights and measures.</p> <p><b>Article 100 [Salaries]</b></p> <p>The law shall regulate salaries, pensions, compensation, subsidies and gratuities which are a charge on the State treasury.</p> <p><b>[Part Five] General and Final Provisions</b></p> <p><b>Article 104 [Amendments]</b></p> <p>(a) Notwithstanding the provision of Article of this Constitution, for an amendment to 35 be made to any provision of this Constitution, it is stipulated that <u>it shall be passed by a majority vote of two-thirds of the members constituting the Assembly</u> and ratified by the Amir.</p> <p>(b) If a proposed amendment to the Constitution is rejected, it shall not be put forward again before the lapse of one year from the time of its rejection.</p> <p>(c) Under no circumstances shall the principle of the hereditary rule of Bahrain, the principle of liberty and equality set forth in this thereof, be 2Constitution, as well as Article</p>
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<p>inherited rule in Bahrain, as well as the bi-cameral system and the principles of freedom and equality established in this Constitution.</p> <p>d. The powers of the King stated in this Constitution may not be proposed for amendment in an interval during which another person is acting for him.</p> <p><b>Article 121 [Former Treaties and Laws]</b></p> <p>a. The application of this Constitution does not breach the treaties and agreements which Bahrain has concluded with states and international organisations.</p> <p>b. <u>Exceptionally to the provision of the second clause of Article 38 of this Constitution, all laws, laws by Decree, Decrees, statutes, orders, edicts and circulars that have been issued and are in force prior to the first meeting convened by the National Assembly remain proper and valid, unless amended or rescinded in accordance with the regulations prescribed in this Constitution.</u></p> <p><b>Article 122 [Promulgation of Laws]</b></p> <p>Laws are published in the Official Gazette within two weeks of their issue, and are enforced one month after the date of their publication, and this period may be shortened or prolonged if the law specifically prescribed it.</p> <p><b>Article 123 [Martial Law]</b></p> <p>It is impermissible to suspend any provision of this Constitution except during the proclamation of martial law, and within the limits prescribed by the law. It is not permissible under any circumstances to suspend the convening of the Consultative Council or the Chamber of Deputies during that period or to infringe upon the immunity of their members, or during the proclamation of a state of national safety.</p>	<p>proposed for amendment.</p> <p>(d) The powers of the Amir, specified in this Constitution, may not be proposed for amendment when a Deputy Amir is acting for him.</p> <p><b>Article 105 [Former Treaties and Laws]</b></p> <p>(a) The application of this Constitution shall not affect treaties and conventions previously concluded by Bahrain with other States and international organizations.</p> <p>(b) All provisions of laws, decrees, regulations, orders and decision in effect upon the coming of this Constitution into force, shall continue to be applicable unless amended or repealed in accordance with the procedure prescribed in this Constitution, provided that they are not contrary to any of its provisions.</p> <p><b>Article 106 [Official Gazette]</b></p> <p>Laws shall be published in the Official Gazette within two weeks of their promulgation and shall come into effect one month after their publication. The latter period may be extended or reduced for any law by a special provision included in it.</p> <p><b>Article 108 [Martial Law]</b></p> <p>No provision of this Constitution may be suspended except when martial law is in force and within the limits specified by the law. Under no circumstances shall the meetings of the National Assembly be suspended, nor shall the immunities of its members be interfered with, during such period.</p>
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**Article 124 [Coming Into Force]**

The provisions of the laws apply only to what occurs from the date the laws came into force, and have no retroactive effect. The law may state, in articles other than those pertaining to the penal code, that its provisions have a retroactive effect, with the agreement of the majority of the members of both the Consultative Council and the Chamber of Deputies, or if circumstances require it, the National Assembly.

**Article 125 [Promulgation of this Constitution]**

This amended Constitution shall be published in the Official Gazette, and shall be effective from the date of its publication.

**Article 107 [Coming Into Force]**

Laws shall apply to that which takes place after the date of their coming into force, and thus shall have no effect in respect of that which has taken place before such date.

However, in other penal matters, a law may, with the approval of a majority vote of the members constituting the National Assembly, prescribe otherwise.

**Article 109 [Promulgation of the Constitution]**

This Constitution shall be published in the Official Gazette and shall come into force as from the date of the meeting of the National Assembly which shall be not later than the Sixteenth Day of December, 1973.

## Appendix 2

### QUESTIONNAIRE

You are kindly requested to respond to the following questionnaire, which is intended for a PhD research entitled:

#### THE NATIONAL REFORMATION SCHEME AND SOCIAL STABILITY IN BAHRAIN

##### Personal Details of Participant

**First Name:**

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**Second Name:**

.....

**Surname:**

.....

**Occupation:**

.....

**Employer:**

.....

**Date:**

.....

## PART ONE

No.	Questions	Yes	No
1	Will the National Reformation Scheme lead to improving individual's standard of living in Bahrain?		
2	Are the people of Bahrain treated in the principal of equally?		
3	If the answer of Q. 2 is "No", does the Reformation Scheme provide for the desired equality?		
4	Is the National Reformation Scheme able to improve the Government's performance?		
5	Can the National Reformation Scheme achieve political reformation without taking administrative reforms into consideration?		
6	Will the participation of the boycotting political societies enrich the next parliamentary (2006) experience?		
7	Is the current agenda of the boycotting/opposition societies positive?		
8	Are there indications that experienced and moderate national currents will take part in the parliament in the next session?		
9	Will the participation of women in the representative councils improve the overall performance of such councils?		
10	Is the atmosphere of the current political openness different from that of the 1973-1975?		
11	Are there indications of possible failure of the present parliamentary experiment along the lines of that of 1975?		
12	Is the National Reformation Scheme capable of inspiring the spirit of citizenship in society?		
13	Are there serious efforts for strategic national education at Kingdom's level?		
14	Are the national education media (families, kindergartens, schools, universities, mosques, religions societies, clubs, youth centres, political and social societies, information media)		

	playing their roles properly in developing good citizens?		
15	How do you assess citizens' exercise of democracy? <input type="checkbox"/> Poor <input type="checkbox"/> Average <input type="checkbox"/> Good <input type="checkbox"/> Excellent		
13	How would you assess the elected council's performance during the current session (2002-2006)? <input type="checkbox"/> Poor <input type="checkbox"/> Average <input type="checkbox"/> Good <input type="checkbox"/> Excellent		
16	Is citizenship an acquired or inherent matter? <input type="checkbox"/> Acquired <input type="checkbox"/> Inherent		
4	What comes first? <input type="checkbox"/> Economic reform then political reform? OR <input type="checkbox"/> Political reform and then the economic one?		
5	Tick, as appropriate, the challenges that hold back the progress of the National Reformation Scheme: <input type="checkbox"/> Sectarianism <input type="checkbox"/> Standard of living <input type="checkbox"/> Foreign interference <input type="checkbox"/> Bureaucracy <input type="checkbox"/> Elected council <input type="checkbox"/> Appointed council <input type="checkbox"/> Opposition <input type="checkbox"/> Education system <input type="checkbox"/> Political naturalisation		









4. Is the atmosphere of the present political openness different from that of 1972?

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\* Do you have reservations about referring to you name in this dissertation?

- Yes
- No

Thank you for your cooperation.

Prepared by: Waheed Abdulla Al-Qassim  
For enquiries cal this No.: 39610611

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