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Banners on Streets: Avenues of Political
Participation in Bahrain

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Abstract

This paper tries to analyse political participation in Bahrain in its diverse forms, in formal and informal spheres and those in-between. It aims to delineate these entanglements by at first presenting the structural setting of Bahraini politics, describing the limitations to formal political participation set by the authoritarian state. Then the institutions in their varying degrees of formality will be identified in which political actors pursue their aims. In a next step I focus on three exemplary groups of actors that due to their different positions towards formal state institutions have developed divergent strategies and use different loci.

It will be shown how Bahraini political actors are caught up in various blockages. Their strategic options are currently defined by their positions towards parliament. While actors within parliament can participate in legislation to a certain degree, those outside cannot influence any details. Those can, however, participate in agenda setting: The wider they incorporate less formal political arenas into their strategies, the more influential they become. Some strategies that appear to be directed towards exerting pressure on the government to achieve certain policy outcomes, however, aim at different ends: oppositional groups are caught in infighting, hereby losing sight of influencing the government altogether. Moreover, the fragmentation of Bahrain's society and the high level of distrust between the various political, religious and ethnic groups constrain political actors even further.

Keywords

political participation, authoritarian regimes, transition studies, formal and informal spheres, Bahrain

1. Introductory note: Strange ways political participation takes in authoritarian settings¹

During the past four years the Bahraini reform experiment has been marred by the conflict between ‘participants’—those political forces who opted for work within the parliamentary framework—and ‘boycotters’—political groups that chose not to join the elections and not to recognize the parliament's legitimacy.² While publicly trying to avoid dialogue both contending camps do engage in coalition building of sorts behind the scenes. Hence surprising actions can be witnessed, or rather gossiped about. Rather secretly the deputy heads of the appointed *shura* chamber and the elected chamber of representatives had discussed possible future changes to the mode of appointment to the *shura* chamber with the interior minister during their trip to Beirut for the funeral of Rafiq Hariri.³ A possible compromise, so it was hoped, could persuade the boycotters to join the upcoming elections of 2006. Then, another deputy chairman of the elected chamber⁴ did something rather unusual for a functionary supposedly devoted to institutions and laws: Instead of first and foremost trying to convince the boycotters, he went straight for the *majlis* of Bahrain's most prominent oppositional Shiite cleric, Isa Qassim, to gain approval for a possible line of compromise thus circumventing formal arenas. The reasoning was, of course, that the cleric functions as the ‘grey eminence’ behind the main boycotting Shiite group. Resorting to their formal representatives would be futile without securing the consent of the cleric who, however, has no formal connection to any political society.

As this short example shows the spheres of formal and informal institutions (in that case a formal parliament and a rather informal *majlis*) can not be seen as separate political arenas. Rather, they often overlap in sometimes surprising, sometimes more predictable ways. To fully understand the forms of political participation in Bahrain, this paper will try to analyse the formal and informal arenas and their entanglements on an equitable basis. It aims to do so by at first presenting the background and structural setting of Bahraini politics; here, some of the legal and structural limitations to formal political participation will be described. It will identify the institutions (in their varying grades of formality) in which political actors pursue their aims. In a next step I focus on three different groups of actors that have different positions towards state institutions—ranging from adoption to rejection—and have hence developed divergent strategies. I have chosen these groups as representative of the wide range of participatory tools political activists in Bahrain have developed over the last four years. There will be a focus on extra-parliamentary opposition, not to de-value the parliamentarians’ efforts but rather because these groups exhibit more complex strategies aiming at influencing political decision making.

It will be shown how Bahraini political actors are caught up in various blockages. Their strategic options are currently⁵ to a great extent defined by their respective positions towards parliament. While actors within parliament can participate to a certain degree in legislation and government supervision,

1 The paper was originally presented at the workshop ‘Political Participation under Authoritarianism in the MENA’ at the Seventh Mediterranean Meeting 22-24 March 2006. I wish to thank the participants for their valuable comments, most of all the workshop directors Ellen Lust-Okar and Salwa Zerhouni, and my discussant Samer Shehata. Moreover, I'd like to thank my colleagues Guido Steinberg and Isabelle Werenfels at the ‘Stiftung Wissenschaft und Politik’, Berlin, and Nadja-Christina Schneider, ‘Centre for Modern Oriental Studies’, Berlin, for comments on an earlier draft. The research the paper builds on has been mostly financed by the Thyssen foundation.

2 The election boycotters’ coalition consist of: *al-Wifaq* (Shiite Islamist), *al-Amal al-Islami* (Shiite Islamist), *al-Amal al-Watani ad-Dimuqrati* / *al-Wa'ad* (liberal-leftist) and *at-Tagammu' al-Qawmi*(ex-Ba'athi leftist). The different groups of actors will be described in more detail below.

3 On 16 February 2005. Interviews with NDI representative Fawzi Juleid (15 May 2005), vice president of the *nawwab* council (religious) Sheikh Adel al-Mu'awda (17 May 2005), vice president of the *shura* council Abdurrahman Jamsheer (17 May 2005), and Aziz Obol (27 April 2005).

4 The liberal Shiite deputy Abdulhadi Marhoon.

5 I.e. the time of writing: January 2006.

those outside cannot influence the details of legislation. They can, however, participate in agenda setting. The wider they incorporate less formal arenas of discussion into their strategies the more influential they become in their agenda setting efforts. The regime has, after all, proven to be receptive towards street agitation. However, strategies that appear to be directed towards exerting pressure on the government to achieve certain policy outcomes, may in fact aim at quite different ends. Oppositional groups are caught in competition with each other, hereby losing sight of influencing the government altogether. Moreover, the fragmentation of Bahrain's society and the resulting high level of distrust between the participants and boycotters, and more fundamentally between the various religio-ethnic groups, put severe constraints on most political actors.

The article is mainly based on interviews and participant observations during three periods of field work in Bahrain.⁶

2. The Bahraini political setting

Without delving into the definitions of authoritarian regimes vis-à-vis 'democracies with adjectives'⁷ it can be assessed that official rhetoric notwithstanding the Kingdom of Bahrain does not constitute a democracy. At least one integral qualification is missing: the Bahraini executive is not subjected to political competition. Nonetheless Bahrain has gone through a process of political liberalisation that has significantly expanded the margins for formal and informal political participation. The basic structures of the polity created through the reforms will be sketched briefly in the following paragraphs.

2.1. The reform process: institutional developments

Sheikh Hamad b. Isa Al Khalifa came to power after his father died in March 1999. Since, Bahrain has pursued a top-down reform process combining economic and political liberalisation, partly motivated by economic calculations. With the country's oil supplies almost used up, the problem of restructuring the economy has become ever more urgent. Notwithstanding its diversification efforts in the past thirty years, Bahrain is still dependant on oil, mostly donated from its large neighbour Saudi Arabia. Other than oil, Bahrain's national income stems mainly from financial services (off-shore banking and insurance business). Weekend tourism from neighbouring Gulf states and some industrial production (mostly aluminium, petrochemicals, ship repairing) also account for part of its income.⁸

The Bahraini Intifada

These sources of finance have proven volatile in the face of political unrest, which, however, has been a prominent feature of Bahraini politics in the 1990s. The opposition's fight for a limitation of the autocratic regime of the ruling family, the Al Khalifa, and their struggle for the resumption of parliamentary life which Bahrain had experienced for a short two years (1973-1975) culminated in wide mass mobilisation during the 1990s. Though not well publicised in Europe, the unrest became

6 I have interviewed 74 political actors (some repeatedly) from all sides involved (parliamentarians of both chambers, representatives of political societies, government functionaries, royal family members, NGO representatives, clerics, journalists, and intellectuals), attended innumerable political discussions (ranging from formal conferences at hotels or NGOs to more informal *majlis* meetings and private parties), and participated in demonstrations. Written materials collected range from pamphlets to draft legislation. The field work was done in February/March 2004, September/October 2004, and April/May/June 2005.

7 Among the vast body of literature that has been produced on this subject, see especially Collier and Levitsky: 1997; O'Donnell 1993; Carothers 2005; Brumberg 2002; Ottaway, 2003; for the German debate particularly: Mackow 2000; Merkel 2000.

8 Bahrain Monetary Agency/ Economic Research Directorate 2004.

known in the Arab world as 'the Bahraini *intifada*'.⁹ The government sought to rigidly and violently suppress the opposition, committing extensive violations of human rights. As is to be expected the extent and gravity of governmental human rights violations is a contentious point—while parts of the opposition hold that the *intifada* claimed 70 'martyrs', the government will admit up to 10 'casualties'.¹⁰ One of the root causes of the unrest has been the perceived and real discrimination of the Shiite majority (roughly 70 %) by the dominant Sunni ruling family with its clientele.¹¹ Obviously, not all Shiites are economically and politically deprived (some Shiite families are well integrated into the elite's networks; there are Shiite ministers and Shiite business partners to royal family members, etc.), but generally Shiite villages are underdeveloped when compared to their Sunni counterparts,¹² poverty and unemployment is concentrated in the Shiite population, and symbolically important, certainly in the opposition's discourse, Shiites have been barred from holding senior positions in the security forces.¹³

Although the Sunni / Shia conflict dominates much of the public discourse, Bahraini society is fragmented in much more complex ways: Not only are Bahrainis identified by their fellows as adherents to sects, and law schools in the Sunni case, *marja'iyyya* in the Shiite case, they moreover stem from different locations: Some Sunnis as well as Shiites have roots on the Iranian Gulf side; the former claim to be Arab, the latter have retained their Persian mother tongue and close (often marital) ties to Iran. Then, there are peninsular Arabs. Especially with respect to the Sunni population having tribal affiliations or not remains a very important identity marker.¹⁴ To probably state the obvious: social distinctions by living circumstances (village, city, new neighbourhoods), profession, education and wealth are less stable than ethnic and religious ascriptions and might play an increasing role for political affiliations in the future.¹⁵

Nonetheless, to reduce political opposition to sectarian conflict would be an undue simplification. In fact, the opposition's liberal elite comes from both, Sunni and Shiite background. Liberals mainly demanded the resumption of parliamentary life.¹⁶ As elsewhere, though, liberals have steadily lost ground and the religious 'trend' has been growing since the 1980s, partly spurred by the Iranian revolution, partly mirroring the general drift towards Islamism. In the Bahraini setting Islamism, however, meant that the sectarian dimension of the conflict has been increasing from the 1990s on.¹⁷

9 The only comprehensive academic 'Western' study on that subject is, to the best of my knowledge, the PhD dissertation of Meinel 2002. The different exiled groups have published various booklets.

10 In an interview with the undersecretary of justice Sheikh Khalid b. Ali Al Khalifa (22 May 2005) he acknowledged that grave human rights violations took place in the 1990s, adding, however, that in his opinion out of the 70 'martyrs' claimed by parts of the opposition, 10 could be substantiated as legal court cases. The oppositions view is held up by Human Rights Watch 1997; Parliamentary Human Rights Group London 1996.

11 Note that the legacy of ruling family as conquerors of Bahrain is very much kept alive by both sides—while e.g. the main Sunni mosque is named after the conqueror *al-Fatih* (also bearing the connotation of conquering infidels), parts of the opposition also refer to the ruling families as 'beduin invaders'.

12 Physically, much of Bahrain, including most Shiite villages, is an urban conglomerate, but villages still are important markers of identity—as places of origin and as places with distinct experiences of unrest and suppression. Bahrainis are generally very much aware of the village borders, even if they have disappeared under new housing schemes.

13 Cf. e.g. As-Sayyid 2003 and Al-Khawaja 2003. These publications are obviously written by activists, but seem nonetheless very trustworthy regarding the basic facts.

14 The complex matrix of ethnic and/or sectarian affiliations is still most comprehensively described in Khuri 1980: 141.

15 Sect and origin are still of extremely high importance for any form of communal action (from marriage ties to membership in most political or other non-governmental societies), although most Bahrainis want to transcend this.

16 As for example expressed in the 'petition of the elite' of 1992, interview with Munira Fakhru (10 May 2005). It is noteworthy that sectarianism is regarded as a non-elite phenomenon.

17 Interviews Munira Fakhru (10 May 2005), Ali Salman (09 May 2005), Baqir Najjar (06 May 2005).

No ownership of reforms? The National Action Charter

To overcome the entangled problems of economic crisis, social strife and political conflict, the ruling elite opted for a top-down process of liberalisation. It could anticipate the opposition's support since both sides had realized that they could not successfully sustain their coercive powers. The first steps of the reform process were received with popular enthusiasm. Shortly after coming to power Sheikh Hamad issued a general amnesty for political prisoners and invited exiled activists to return.¹⁸ A committee was appointed to draft a 'National Action Charter'. This, however, was the point where some discontent emerged: Out of 40 members to the committee only six were prominent liberal opposition figures. Subsequently four of them withdrew, as they did not feel any ownership of the process:

We had assumed that a drafting committee would be constituted from among the members of the National Action Charter committee, but instead a ready-made draft had been presented. I don't know where it came from, but it was very bad. I had been present for three meetings, but then I resigned, actually four of us resigned. Obviously this made them think again, because later a better draft emerged. I believe an Egyptian did the bulk of the work, but there were also Jordanians and Tunisians involved. It's not known officially, though.¹⁹

Nevertheless the National Action Charter²⁰ was published and it was announced that it would be subjected to a general referendum. In general terms the document promised the resumption of constitutional rule and parliamentary life. It proposed two amendments to the original constitution of 1973: The transformation of the 'State of Bahrain' into the 'Kingdom of Bahrain' and the introduction of a bicameral parliament.²¹ In 1992, the then emir Sheikh Isa had introduced an appointed consultative *shura* chamber to counter public discontent, which the charter proposed to retain as second chamber; the definition of its role remained deliberately vague, however. Chapter 5 of the document begins with evoking the example of 'deep-rooted democracies (*ad-dimuqratiyat al-'ariqa*)' and goes on to explain 'it is in the interest of the state of Bahrain to adopt a bicameral system whereby the legislature will consist of two chambers, namely one that is constituted through free and direct elections whose mandate will be to enact laws, besides a second one with people of experience and expertise who would give advice as necessary.'

Since this leaves the question open whether the *shura* chamber will only discuss and advise or share in the decision making on equal footing with the elected chamber, the document generated a lot of controversy prior to the referendum. The government tried to dispell any fears by having the crown prince and the minister of justice and Islamic affairs (then chairman of the National Action Charter Committee) declare in interviews that the elected chamber would be superior to the appointed one.²² Perhaps reassured by these deliberations, the public overwhelmingly endorsed the National Action Charter (98,4 % yes votes) in February 2001.

18 'Legislative decree no. 10 of the year 2001 with respect to general amnesty for crimes affecting national security' and later 'legislative decree no. 56 of the year 2002 with respect to interpreting certain provisions of legislative decree no. 10 of the year 2001 with respect to general amnesty for crimes affecting national security', copies of these decrees can be found on numerous websites, see e.g. www.mahmood.tv. These decrees, especially no.56/2002, are severely criticised by opposition groups for effectively granting impunity to state officials involved in human rights' violations.

19 Interview with lawyer Hassan Radhi (27 September 2004).

20 The National Action Charter can be accessed at: <http://www.shura.gov.bh/default.asp?action=article&ID=268#six> (Arabic and English versions available). Different English versions are distributed by official bodies. The above translation is mine.

21 The 1973 parliament had been unicameral, with 30 representatives elected and the ministers serving as ex-officio members (resulting in a roughly 2/3—1/3 balance).

22 Cf. al-Ayam 05February 2001 (interview with the crown prince), al-Ayam 09 February 2001 (interview with the minister of justice and Islamic affairs). The interviews were also published in the other local media.

The constitution—amended or new?

When one year later the king issued the amended constitution²³ reactions were not as unanimously enthusiastic. The *shura* council had been given the same legislative powers as the elected chamber. The actual drafting of the constitution had been done behind closed doors and the promulgation of the text came as a surprise even to circles close to government views.²⁴ Not only were the different political factions not involved in debating the document (giving later rise to a debate on the contractual character of constitutions),²⁵ but the government also did not seek to convince the public of its view that the introduction of shared legislative powers could be appropriate for the country. Rather, officials since claim that the constitution is legitimised by the referendum on the (opaque wording of the) National Action Charter.²⁶

According to the constitution proposals may be written by members of both chambers. For drafting, they have to be sent to the government. The government may, of course, also initiate bills. Both chambers can pass, amend or reject any bill. For a bill to become law, both chambers have to adopt it. Do both chambers fail twice to reach to the same decision, they will hold a joint meeting chaired by the chairperson of the *shura* council who will have the casting vote in case of stalemate.²⁷ This arrangement gives the king (who—rather than the government—appoints *shura* members) huge leverage on the legislative process.

Political societies as party surrogates

After the constitution's promulgation the king allowed political societies to register under the law governing civil societies,²⁸ which in fact explicitly forbids political ends for any legal society. While de facto allowed to function as political parties, legal security was lacking. Only in summer 2005 a law was passed that governed political societies explicitly.²⁹ The new law is controversial: The government bill (apparently copied from Egypt) was rather restrictive, especially with regard to external funding. Moreover, it forces political societies to recognize the constitution and forbids promoting ethnically and/or sectarian based programmes—a provision that could be used against all Islamist political societies since those cater almost exclusively to their own sects.

Nonetheless a large number of political societies had quickly been registered.³⁰ Municipal elections in which all political societies participated were held in March 2002. The situation was different for the parliamentary elections held in October 2002, though: An alliance of four societies, among them

23 The constitution can be found in Arabic and English at the government webpage: <http://www.bahrain.gov.bh/>.

24 Interviews with Jamal Fakhru (22 April 2005), Faisal Fulad (26 April 2005), Aburrahman Jamsheer (17 May 2005).

25 The opposition—as will be shown later—rallies behind the slogan 'Towards a contractual constitution'.

26 Among many others see Al Khalifa 2005. A rather absurd (to the outside observer) exegesis started where all sides try to legitimise their respective views in the wording of the National Action Charter.

27 Cf. Art. 85 of the constitution.

28 Law 21/1979. *Qanun al-jam'iyyat wa'l-anidyya al-ijtima'iyya wa'th-thaqafiyya wa'l-hai'at al-khasa al-'amila fi maidan ash-shabab wa'r-riyadha wa'l-mu'assasat al-khasa*.

29 The law governing political societies was published in the official gazette on 03 August 2005.

30 There's a total of 24 political societies (summer 2005), not all of them active. The ones actually functioning are: *al-Wifaq al-Islami* (the major Shiite Islamist society), *al-'Amal al-Islami* (Shiite Islamist, *shirazi*), *al-Amal al-Watani ad-Dimuqrati* (changed their name to *al-Wa'ad* in 2005, leftist-liberal), *al-Tagammu' al-Qawmi at-Taqaddumi* (Baathist), *al-Minbar at-Taqaddumi* (leftist-liberal), the *Mithaq al-Amal al-Watani* (liberal, pro-government), *al-Asala* (Sunni-Salafi), *al-Minbar al-Islami* (Sunni Muslim brotherhood). Two more societies are somewhat undecided whether to be social or political: *al-Muntada* (liberal) and *al-Ikhwa* (Persian Shiites).

the biggest one, the Islamist Shiite *al-Wifaq*, decided to boycott those because they objected to the ‘amended’ (in official parlance) or ‘new’ (in theirs) constitution.³¹

Another point of contention has been the electoral law. Through gerrymandering of constituencies Sunni and Shiite votes have been made roughly equal.³² As is common practice in authoritarian regimes, the government did not try to convince the public of such an arrangement but instead denies that privileging of Sunni votes occurred. The actual voting process has generally been regarded as free and fair, although some critique was voiced.³³ Women stood as candidates, but did not win any seats. The voter turnout of roughly 53 %, however, shows substantial reservations of parts of the population. Resulting from the partial Shi'i boycott the chamber of deputies is dominated by Sunni religious societies. The elected chamber is constituted as follows: the Islamic Bloc (Shi'i) 20 %, the Independents (Sunni conservative) 19%, *al-Minbar al-Islami* / the Islamic Platform (Sunni) 18 %, *al-Asala* / (Islamic) Purity Society (Sunni salafi) 13%, the Democrats (liberal-left) 8%, individuals 22%.

Freedom of expression

While the legitimacy of the constitution and, therefore, of the current parliament are hotly debated, other areas of the reform process are less contentious: Few would deny that the margins for free expression of thought—in public events and in the media—have been considerably expanded. Political debates are as a rule conducted freely and reported in the press, especially in the ‘Shiite’ daily ‘*al-Wasat*’. This newspaper is owned and edited by one of the most prominent ex-exiles, Mansur al-Jamri, son of one of the icons of resistance, the cleric Abdulmir al-Jamri. Having been a prominent activist of the London based ‘Bahrain Freedom Movement’,³⁴ Mansur al-Jamri was allegedly offered to run the country’s first independent and oppositional newspaper as part of his return package.³⁵

Probably more influential than the press are the numerous weblogs and internet discussion forums. Many of the Shiite villages run their own, as well as most Shiite clerics. Pages like ‘Bahrain-online’, ‘Duraz-net’, and ‘al-Montadayat’ have a huge readership and send their reporters to relevant events and demonstrations. Most demonstrations are announced on these pages, and often, political seminars are live-streamed into the net.³⁶ The internet magazines also illustrate a characteristic feature of the whole reform process: a decisive lack of legal certainty. In February 2005, three moderators of ‘Bahrain-online’ were arrested. The moderators had been declared responsible for other users’ defamation of the government on the pages.³⁷ After a series of demonstrations, the three were released.³⁸

Demonstrations of all sorts occur on a regular basis—less than common in the region. The laws regulating rallies and demonstrations predate the reforms; a bill for a new one has not yet been passed by parliament. As is the case with press freedom, a general liberal practice without the necessary legal

31 The other three boycotting societies are: *al-Amal al-Islami*, *al-Amal al-Watani ad-Dimuqrati (al-Wa'ad)*, and *al-Tagammu' al-Qawmi at-Taqqaddumi*. The boycotting alliance therefore consists of two Islamist societies and two leftist ones. The *Wifaq* outnumbers the others three by far. See 3.2.

32 Bahrain is divided into 40 constituencies, each sending one representative to the majlis an-nuwab. The successful candidate has to either secure a majority of votes in the first round or a relative majority in the run-off. For details on the voting process, critique and statistics see the report written by Bahrain Transparency 2002.

33 Among other practices the stamping voters’ passports was rejected (Bahrain Transparency (2002).

34 In Arabic the organisation was actually called ‘Bahrain Islamic Freedom Movement’. Two other heads behind the BFM have come back: (religious) Sheikh Ali Salman is now the head of *al-Wifaq*, Majid al-Allawi has become minister of labour. Only Sa'id Shihabi stayed in London and still runs the website of the Bahrain Freedom Movement (www.vob.org), more or less on his own.

35 TV and radio is state-owned and very much pro-government.

36 The most frequented ones are <http://www.bahrainonline.org> and <http://www.montadayat.org/index.php>.

37 On 27 February 2005. This is congruent with the Bahraini press law that does not specifically deal with internet.

38 For a detailed account see <http://chanad.tk/> (category ‘Free Ali’).

foundation can be assessed. Normally neither the government nor the security forces interfere with demonstrations—unless feeling threatened.³⁹ This lack of legal certainty is obviously wanted: ‘You have to see what we practice, not what is written in laws. Our practice is very liberal. [...] One also has to see in which part of the world we’re living’, says the then head of the central informatics organisation and now minister of the royal court, Sheikh Mohammed b. Atiyatallah Al Khalifa.⁴⁰

Generally, civil society has thriven, at least numerically.⁴¹ Bahrain’s NGOs are fragmented—many NGOs are really a spin-off of a political organization and/or can draw only a narrow ethnic-sectarian segment to their activities. Generally, the more elitist the NGO, the less narrowly defined its constituency in sectarian terms: Sectarianism does e.g. not play any role in many of the ‘arty’ clubs.

The liberal atmosphere, the mostly tolerant handling of civil liberties, and the sheer existence of political societies,⁴² a parliament and a constitutional court show a favourable environment for political participation; a closer look at the legal basis of the reforms and at political practice calls for a more cautious assessment, however:

- The executive remains completely outside of political competition;
- The most important ministries are held by members of the ruling family;
- The *shura* council gives the king an indirect final say in legislation;
- A large number of restrictive laws predating the reforms are still in force. Political and civil freedoms guaranteed by the constitution are limited by law and can be restricted by ill-defined references to national cohesion;
- The electoral law is biased against the Shiites.

2.2. Clubs, majalis and ma’atim

Contrary to views commonly held on Gulf states’ societies, Bahrain’s society offers a complex matrix of interlinking social institutions, understood in a broader anthropological sense. These can in varying degrees be mobilised for political ends. Helped by its small size and its population density,⁴³ institutions mediating individual interests have existed for a comparatively long time. The following paragraphs will be an introduction into the major non-state institutions.

Catering to the urban elites of both sects, the first clubs were opened in Manama earlier than in the rest of the Gulf region. Namely the ‘Uruba Club to which most prominent liberals are a member was founded in the early 1930s. The club still serves as an important meeting point.

In addition to clubs that share only a broad orientation but no clear set agenda, a plethora of professional associations can be found, from lawyers’ to engineers’ societies. Some of these professional societies, especially the bar society, are politicized. Of those, most are leftist-liberal rather than Islamists as is the case elsewhere in the Arab world.⁴⁴

39 Clashes between demonstrators and the police have been on the rise again in 2005, after the quite of 1999 to 2003.

40 Interview (25 February 2004).

41 In summer a total of 386 civil societies were registered with the ministry of social affairs. These include charitable religious societies, but not sports clubs. Interview with Fatima al-Balushi, minister of social affairs (07 May 2005).

42 In the Gulf, proto-parties can only be found in Kuwait that has the region’s longest parliamentary tradition.

43 Size: 665 sq km, population: 688.345; note: includes 235.108 non-nationals (July 2005 est.), <http://www.cia.gov/cia/publications/factbook/geos/ba.html#Geo>.

44 Interviews with sociologist Baqir an-Najjar (06 May 2005), lawyers Isa Ibrahim (26 February 2004) and Muhammad Ahmad (21 May 2005).

Often less elitist than clubs are *majalis*.⁴⁵ These are regular gatherings in private houses, usually held in reception rooms with separate entrances. In general, there are some regulars nearly always attending a certain *majlis*, but there is a degree of openness. *Majalis* can be quite different in form: some are just social gatherings, while others have a more fixed agenda with a set topic for the day and/or an invited guest speaker. *Majalis* are held by some royal family members—among those the prime minister -, by heads of big families, by religious figures, by intellectuals and political activists. While on a certain level the state's reform project is also about channelling political discussions into formal institutions, namely parliament ('appropriate channels'), these semi-formal meetings have also been encouraged: The state financed the addition of *majalis* to the houses of elected municipal councillors and parliamentary deputies.⁴⁶ Basically all deputies have a fixed weekly *majlis* to where friends and members of their constituencies can come and address their grievances. Most *majalis* are exclusively male. The king's first wife holds occasional rather formal meetings to which an invitation is necessary, also called *majlis*. Here, all guests are female. Mixed *majalis* are rare and tend to focus on cultural and academic rather than political topics. Whenever female voters wish to discuss a problem with a representative, they are either expected to talk to him on the telephone or talk to his wife.⁴⁷ Also, sectarian fragmentation is often mirrored in the *majlis* attendance. There are Sunni and Shiite *majalis* and the mixed ones tend to be academic and cultural in nature, as is the case with gender mixed ones.

Rather special to Bahrain is the dense web of Shiite *ma'atim* (lit.: funeral houses). Endowed by individuals many Shiite families can pride themselves on one or more *ma'atim* established by a member. *Ma'atim* vary greatly in size—they can be spacious and ornate like mosques or unobtrusive small places. *Ma'atim* exist for both sexes and perform a variety of functions: They are places where religious festivals like the various birthdays of Imams are held and *ashura* demonstrations are prepared. Moreover, they deal with religious education: Clerics visit and lecture in both, male and female *ma'atim*, on a variety of topics ranging from purely pious readings to more political topics (as for example family law). Eventually, *ma'atim* are also places for social gatherings—engagement parties are held there or people just go and visit. There is a class and gender dimension to the visiting pattern: generally speaking, low class women seem to visit these places most, most probably for lack of alternatives considered decent.

Both sects also have religious missionary and charitable societies that often also sport office and conference rooms but those are not frequented as *ma'atim* are, but are visited only on special lectures.

Other venues for political and social interactions are obviously the headquarters of political societies. Several of these also have regular weekly or monthly lecture days. Many headquarters of NGOs and trade unions⁴⁸ are located very close to each other, since the king had donated a block of apartments for that purpose in 2001.⁴⁹

A (obviously rather crudely constructed) typical male Bahraini with political interest has multiple affiliations: he is a member of a political society, has joined two to three NGOs in the first reform euphoria (related to human rights, women, environment), has been (since he entered his professional

45 'Sitting rounds', the word *majlis* can refer to the room, to the assembly and to the institution as such.

46 Interviews with councillors and parliamentarians, e.g. Jawwad Fairouz (17 September 2004) and Abdulaziz al-Musa (10 May 2005).

47 Interviews with Abdunnabi Salman (28 September 2004), Jassim Abdul'al (02 October 2004), Farid Ghazi (17 February 2004), and others.

48 Among the Gulf states Bahrain also has the longest tradition of leftist mobilisation due to it being the first state to discover oil in 1932. Trade unions were working underground until legalised in the framework of the reform project. Interview with Abdulla Hussein, General Federation of Bahrain Trade Unions (16 September 2004).

49 Interviews with several NGO representatives, e.g. Abdulla ad-Durazi of the Bahrain Human Rights Society (25 February 2004, 16 September 2004), Jassim al-Ajmi of Bahrain Transparency (01 May 2005), and Abdulhadi al-Khawaja of the Bahrain Centre for Human Rights (21 February 2004).

life) a member of a professional association. If Shiite, he attends *ma'atim* at least for holidays, and is involved with some charity, religious or through a local fund. It's quite likely he is a regular to a *majlis*, the likelihood even increasing in case he is Sunni with tribal affiliations.

2.3. Multiple governments?

When trying to assess the ability (or lack thereof) of political groups to participate in political decision making, it is without doubt instrumental to identify the loci of decision making beforehand. This is not as easy as it seems: Bahraini conventional wisdom has it, that there are two governments—the more reformist king and crown prince on one side, the anti-reformist prime minister on the other. While this is a simplification of a complex reality, there still is some truth to this assessment: this multipolar government structure creates tangible reform blockages.

When Sheikh Hamad b. Isa was pronounced new ruler of the country in 1999, his uncle Sheikh Khalifa b. Salman had been prime minister for almost thirty years.⁵⁰ Since emir Isa had not been actively involved in daily politics, the prime minister was the de facto ruler of the state. It quickly became clear that Sheikh Hamad (who has pronounced his first born Salman heir apparent) intended to reign and rule. The prime minister had been used to rule autocratically and was not too enthusiastic about reforms or, as a former advisor to the prime minister's court rather cautiously put it, 'It is not that the prime minister is completely against reforms as such. He just wants them his way. [...] He felt so marginalized at the beginning of the project. You have to understand how people like our prime minister were raised and have lived. He is not used to encounter opposition.'⁵¹

Rather than risking severe strife within his family⁵² and the establishment, the king has ordered two limited cabinet reshuffles⁵³ since the reform project's inception and replaced other ministers when opportunity arose. The appointment of the new minister of interior, Sheikh Rashid b. Abdulla Al Khalifa, in May 2004 may serve as an illustrative example: A peaceful demonstration of a few thousand Shiites—including prominent clerics—in support of as-Sistani in Najaf turned violent, provoked by undue (and surprising) escalation tactics from the riot police who fired rubber bullets into the crowd, injuring a number of demonstrators. The king then sacked the long-serving interior minister, Sheikh Mohammed b. Khalifa Al Khalifa—sacking of fellow royal family members had been unheard of before. Adding some juiciness to the affair, the minister had been sick for some time and the son of the prime minister, Sheikh Ali b. Khalifa Al Khalifa, had been deputized for him—and rather elegantly had thus been removed, too. This happened in a time when the prime minister was out of the country.⁵⁴

On a deeper level, the king has opted to gradually withdraw responsibilities from the prime minister and the 'old guard' around him by creating new administrative bodies. So has the Economic Development Board, a semi-autonomous body created in 2000, the board of which is made up of ministers and heads of private companies and is chaired by the crown prince, appropriated more and more decision-making functions that used to be with the cabinet. It is responsible for the wide-ranging

50 In fact he has been Bahrain's only prime minister, taking his post immediately after independence from Britain in 1971.

51 The interviewee prefers to remain anonymous. Interview (23 February 2004).

52 The family is obviously not homogeneous in its political outlook. As one interviewee, Sheikh Khalid b. Khalifa Al Khalifa put it: 'We—the royal family - are no bloc: We have salafis - one is in Guantanamo, do you know - , we have liberals—I guess I'm counted among those, we have conservatives and people not interested in politics. We have old guard, new guard, all.' (23 May 2005).

53 The last comprehensive one was announced in January 2005. It added a second female minister, Fatima al-Balushi (social affairs) to Nada Haffadh (health). For the first time a Persian speaking Shiite was made minister (Abdullhussain Mirza, minister of the prime minister's court).

54 Among others, see lively online discussions of the event at <http://bahrainiblog.blogspot.com>; <http://chanad.tk> (English); <http://www.montadayat.org/index.php> and <http://www.bahrainonline.org> (Arabic).

programme to restructure the country's economy. This involves drafting of bills (that are presented to the government and parliamentarians alike) in key areas as labour market reforms, educational reforms, land reforms etc.⁵⁵ McKinsey has been commissioned by the crown prince to design the rather ambitious economic reforms, thus also reducing the old guard's influence.⁵⁶ Similarly a housing committee, also chaired by the crown prince, has been set up,⁵⁷ and the oil ministry—headed by the prime minister's son Sheikh Ali—has been disbanded and replaced by an energy commission agency in September 2005.⁵⁸

The king, crown prince, and prime minister all maintain their own courts, each of which possesses its own consultants and researchers in diverse policy fields. As a disgruntled consultant at the royal court puts it, coordination is deficient—surprisingly even between the royal and the crown prince's court. 'It is chaotic, all these parallel advisors. [...] The crown prince has by-passed us Bahraini experts, he has only commissioned foreigners who do not understand a thing.'⁵⁹

Not surprising for an authoritarian regime, it is unclear to most political actors (apart from the innermost circles) who is responsible for a decision, or even who has the right and power to decide. As a deputy put it:

Me, for example, I have a very good contact to the crown prince. He does have an open door, really. You can talk to him like to a normal person, like we are talking. He even takes notes. You cannot talk to the prime minister or to the king. There, you only listen. The prime minister, when he meets us deputies—he has to, sometimes—you can feel he despises us, doesn't even want to shake hands. Let alone listen. But who will decide? I want to believe it is the crown prince but what do I know?⁶⁰

While conflict between the two sides—king and crown prince on the one, prime minister on the other—occasionally emerges forcefully they also have a lot of common interest, the basic one, of course, securing the hereditary rule of the Al Khalifa.

Though small, Bahrain has still more power centres, as hinted at in the introduction. An intellectual commented when talking about the 'two governments': 'I, however, can say with confidence that Sheikh Isa Qassim⁶¹ is the third government in Bahrain. This triangular government system is chocking progress of political and economic reform in Bahrain.'⁶²

55 Interviews with Zakariya Hijris, the EDB's deputy chief executive, and desk officers Khalid Janahi and Maysoun Sabkar (01 June 2005). See also <http://www.bahrainedb.com>.

56 Especially the land reform that will designate legally binding development plans for industrial and housing areas will make the wide-spread corruption at least more controllable.

57 The provision of housing is an important policy field for a Gulf welfare state; lack of housing is immediately connected to lack of legitimacy.

58 Gulf News (28 September 2005). Moreover, the head of the energy commission will be part of the EDB board, hence working under the crown prince.

59 Consultant at the royal court, made anonymous (18 May 2005). It is obvious that advisor's or consultant's positions are often offered as a gratification and do not entail real functions.

60 Shiite deputy in private conversation, made anonymous (28 September 2005). Other deputies have more access to the prime minister. A widely spread anecdote that cannot be verified states that the Salafi deputy Adil al-Mu'awda attended the prime minister's *majlis* saying: 'Do not believe, Your Highness, that you need the *shura* council. We deputies are always there for you.'

61 Isa Qassim is the most prominent Shiite religious scholar in Bahrain. He is the principal representative of the Iranian *marja'* Ayatullah Khamenei in Bahrain. For the institution of *marja' at-taqlid* see Encyclopaedia of Islam (CD-ROM Edition) 'mardja'ai taklid', Koninklijke Brill NV, Leiden 2001.

62 Intellectual wishing to remain anonymous. By Email (27 July 2005).

Not officially part of any political society, (religious) Sheikh Isa Qassim is nevertheless closely associated with *al-Wifaq* 'as a patron and spiritual guidance'.⁶³ In fact it seems that few decisions can be arrived at in *al-Wifaq*—and in the whole country, for that matter—without prior consultation with Isa Qassim, ranging from questions with regard to the planned codification of the personal status law to participation in elections.⁶⁴

3. Parliamentarians, boycotters and protesters

The following section will present three different strategies of how Bahraini actors try to influence political decision-making. The first example shows how parliamentarians and boycotters are caught up in an impasse of which they manage to get out only by external intervention. I will argue that this conflict strengthens the executive. The use of mass mobilisation and informal *majlis* politics by the opposition outside of parliament is demonstrated in the second example, and the ambivalent outcome of this tactic is depicted. The more radical opposition is described in the third example. It uses sectarian agitation for winning supporters from their competitors. The oppositional infighting also strengthens the government. These examples are chosen to describe a range of political tools Bahraini actors have developed and do not claim any comprehensiveness.

3.1. Parliamentarians and extra-parliamentary opposition in deadlock: the debate on the law of political societies

As mentioned above political societies have operated under the law governing other NGOs until August 2005—a situation all political actors agreed on needed to be corrected. This lack of legal certainty affected the work of both, political societies within parliament (the two Sunni Islamist societies *al-Asala* and *al-Minbar al-Islami*; the leftist *al-Minbar at-Taqaddumi*) as those outside (the four boycotters). Hence all political societies supposedly shared some common interest in establishing legal certainty for their work. But Bahraini political societies find it hard to establish common ground even when they share a similar ideological outlook: as the boycotters do not recognize parliament's legitimacy, they believe even lobbying of deputies would be inconsistent with their boycott. As a member of the boycotting *al-Amal al-Watani ad-Dimuqrati* explains: 'We can talk to [the deputy] Abdunnabi Salman, but only in his capacity as a member of [the political society] *al-minbar at-taqaddumi*, not as a deputy.'⁶⁵

The deputy in question regrets the lack of cooperation between liberals and leftists outside and inside the chamber: 'We tried to cooperate with them—we sent our proposal for a new law on political parties to the boycotters' before anything else, but, of course, no reaction at all. But realistically, a law will come, it will come through parliament and fall squarely on their heads as well.'⁶⁶

63 Jawwad Fairouz, board member of *al-Wifaq* and municipal councillor (10 February 2004).

64 The codification of the personal status law has been on the agenda for quite some time, as it is currently. Many members of *al-Wifaq* recall how the society's young president, Ali Salman, was for the codification, but Isa Qassim against. Ali Salman, though immensely popular with a substantial part of the Shiite youth, could not go against the elder scholar's opinion.

65 Isa Ibrahim (19 September 2004).

66 Abdunnabi Salman (28 September 2004). He is one of the three 'leftists' in parliament who together form the parliamentary block 'the democrats'.

Most appointees to the *shura* council are liberals with a secular outlook.⁶⁷ Although this could make them strategic allies regarding 'liberal' legislation, meaningful discussions between members of boycotting societies and the members of the *shura* council are almost non-existent.⁶⁸

One of our problems is that there is no structured dialogue with representatives of civil societies in general on proposals or bills. When we have a bill we will invite societies to present their views. In that case it's official with minutes. But often they don't come. If we work on a proposal there's informal contacts with NGOs, for example, but then there's no minutes, it's rather informal. But then, our civil society is not receptive yet.⁶⁹

Or, as another *shura* member expresses in a more pronounced fashion: 'I believe, our work in the *shura* council is good but nobody appreciates this. The government does not really cooperate, the deputies ignore us and the opposition does the same, of course.'⁷⁰

External mediation

Fronts being thus hardened, bargaining between the different camps—boycotters and participants—on a pragmatic basis is hard to achieve, consensus finding across the institutional barrier of parliament is blocked. The only exit out of this impasse is the intervention of an external mediator. In Bahrain, the American National Democratic Institute (NDI)⁷¹ routinely offers a face-saving excuse to conflicting parties and brings them to a joint table. In case of the law governing political societies, the institute's representative, Fawzi Juleid, initiated meetings to discuss the new bill in autumn 2003, when the government's bill was leaked: but until late in 2004 the societies were still caught up in their mutual refusal of dialogue.⁷² Only when it became clear that the new law could outlaw the boycotters (it forces political societies to acknowledge the constitution), the representatives of the boycotters could be brought together with deputies in a workshop organized by NDI.⁷³ A contentious point in the government's bill was the ban of foreign assistance, financial or organizational. This could - oppositional politicians feared quite understandably—be used to prohibit any training with foreign NGOs in- and outside of Bahrain. Moreover, the government bill contained no reference to state financing of political societies. This, however, was a demand mainly of leftist societies (whose membership is a lot smaller numerically than the Islamists').⁷⁴

While on the one hand an external mediator is necessary to allow boycotting societies to join dialogue, it is on the other hand problematic that this role is played by an American institution, especially for Islamist groups. Shiite Islamists have to manoeuvre quite a bit to make their views on the US and US involvement consistent: they do welcome the forced removal of Saddam Hussein but

67 One of the motivations behind the creation of a *shura* council is to fend off Islamists legislation—particularly with regard to economic legislation. Interviews with Sheikh Muhammed b. Atiyatallah Al Khalifa (25 February 2004) and the general secretary of the National Charter drafting committee, Abdurrahman Jamsheer (24 February 2004).

68 Of course, representatives of these groups meet sometimes in private or in workshops, but there is no discussion on common goals, interviews with *shura* member Fawzia Saleh (28 April 2005), oppositional activist Aziz Obol (27 April 2005).

69 *Shura* member Fawzia Saleh (28 April 2005).

70 *Shura* member Bahia al-Jishy (26 May 2005).

71 It was invited by the ruler in 2002. Since Bahrain has no mechanisms for the registration of foreign NGOs, NDI has stayed in the country as a 'guest to the royal court'. It works with all political societies within and without parliament, Islamist and more secular, interview with NDI's representative Fawzi Juleid (27 September 2005). However, in the run-up to this year's [2006] elections, the residence permit for Fawzi Juleid has not been renewed and he has left the country on 13 May 2006. Whether it will be possible for NDI to continue its work in Bahrain is currently [May 2006] unclear.

72 Fawzi Juleid (27 September 2005).

73 07 October 2004, Diplomat, Manama.

74 Also, the government draft states a minimum age of 21 for membership, the societies want 18. The extent of the executive's power to withdraw licenses from political societies is also contentious.

reject the American presence in Iraq. They want reforms from within consistent with Islamic values while at the same time believing in the necessity of US pressure on their government.⁷⁵ Information on the 'outside' involvement is therefore not always volunteered by political activists. The president of the *al-Wifaq*, (religious) Sheikh Ali Salman recounts: 'We came all together united in that problem, us four boycotters and five other societies. We agreed on a common proposal. We've sent the proposal to the king, the others to parliament [because, of course, the boycotters can not recognize parliament]. Some compromise will be achieved, I think.'⁷⁶

As a result of these meetings, the political societies achieved agreement on some points: an external finance of training should be allowed, a minimum age of 18 for membership, and a basic state funding for all societies should be guaranteed.

Parliamentary dynamics

These features were actually similar to the proposal, the leftist deputies of the 'Democratic Bloc' had initiated in late December 2003.⁷⁷

We are few liberals in parliament and we have to deal with all the [Sunni] Islamists. If the parliament were more balanced—which it isn't because of the boycott—we wouldn't have these problems. The problem is that *al-Minbar at-Taqaddumi* [the interviewee's political society] is the only real party in parliament. The others are new and their existence is big on paper only. Those have less interest in a law on political parties than us.⁷⁸

There is quite some truth to this assessment. Only 39 per cent of deputies are actually members of a political society, the others run as independents and pooled into parliamentary blocks only after parliament was constituted.⁷⁹ Another 22 per cent of the deputies are independent.

Islamist societies in general—and hence the Sunni ones in parliament, too—have the added advantage of having developed out of wider movements organized in charitable funds and societies:⁸⁰ their financing is not such a big problem as it is for the leftist and liberal societies. Therefore, some basic differences of opinion remained, as illustrated by the Sunni deputy Abdullah Sa'adi from the Muslim brotherhood affiliate *al-Minbar al-Islami*:

We are a new parliament, we are experimenting. [...] The societies' law proposed by the government is a good law, it's not the best possible, we have to amend it, but it is a good law. Saying this does not mean we have been bought by the government, it means there is a common interest in that point. [...] We want more room for manoeuvre for us, less for the government.

75 Interview with Ali Salman (09 May 2005). *Al-Wifaq's Working strategy paper* (al-Wifaq 2005).

76 Ali Salman (09 May 2005).

77 This is most probably so because these deputies were highly receptive to NDI proposals. Proposed law on political parties in Bahrain. Presented by Abdulhadi Marhoon, Yousif Zainal, Abdunnabi Salman, Sameer ash-Shuwaikh, and Fareed Ghazi. Dated: 22 December 2003. <http://www.nuwab.gov.bh/en/default.asp?action=article&ID=127>. Another draft 'Proposed law on regulating political societies' was presented by Ahmed Bahzad, Ali al-Samaheji, Hammad Khalil Al-Mohandi, Jassim Abdul'al, and Abdulaziz al-Mousa. Dated: 22 December 2003.

78 Abdunnabi Salman (28 September 2004).

79 They might be proto-societies down the road but at the moment their political outlook is not coherent. Interviews with Abdulaziz al-Musa of the (Sunni) bloc 'al-Mustaqilun' (10 May 2005) and Ali al-Samahiji of the (Shiite) bloc 'al-Islamiyun' (02 May 2005).

80 *Al-Minbar al-Islami* is the political organisation of the Muslim brotherhood and the salafi *al-Asala* is the political organisation of the *jami'at at-tarbiya* (development society). Both have been active for decades. Interviews with *al-Minbar's* Saadi Abdulla (16 February 2004 and 23 September 2004), *al-Asala's* head (religious) Sheikh Adil al-Mu'awda (28 September 2004 and 17 May 2005), and professor of sociology Baqir Najjar (06 May 2005).

Now we'll improve that bill, in a few years we'll see what we can get. You can either eat the egg now or you can wait for ten days and then have a chicken.⁸¹

Or even clearer articulated by the head of the salafi *al-Asala*, (religious) Sheikh Adil al-Mua'wda, 'Quite honestly, I have not even read the law on political societies yet. I am convinced that whoever works honestly and in the open has nothing to fear. Moreover, we have to go very gradually towards more participation, which we'll get eventually. Besides, our people are interested in housing and in the money they find in their pockets.'⁸²

Both Sunni Islamist deputies fear Iranian financing of Shiite societies. Moreover, their loyalty to the government in general questions overrides the common interest they have with other political societies. This holds true even more for the 61 per cent of deputies not organized in political societies whom nobody had tried to convince of the non-government proposal. Nor had the *shura* members been addressed: 'It is therefore not surprising that the government's bill, scheduled for voting in both chambers shortly before the summer break in 2005, basically passed without any amendments.'⁸³

Events around the law on political societies show a basic dilemma, current Bahraini politics are caught in: the avenues for meaningful participation in the legislative process are cut for a substantial part of political actors—actually they have cut this road themselves. The situation constitutes a vicious circle: the opposition outside of parliament does not recognize this institution. Hence, as a matter of principle, boycotters do not talk to its representatives—unless only in the very last minute. And then, they do not talk to all parliamentarians, either. Those, on the other hand, see no reason for cooperation with groups that otherwise ignore them. The more so, since there is basic distrust between the Sunni Islamists in parliament and the Shiite groups outside. If forced to decide, the Sunnis have proven to have more common interest with the government.⁸⁴ No group, neither the liberal and leftist deputies nor the opposition outside of parliament tries to win over the *shura* council which, after all, could veto any legislation. This dynamic gives the government always an upper hand—which in turn reinforces the opposition's conviction that parliament is useless.

3.2. From conference tables to the streets: the extra-parliamentary opposition's campaign for constitutional changes

While the above example shows one aspect of blocked participation within the basic formal institution created by the reforms, the next one presents another strategy developed by Bahraini actors: an attempt to influence fundamental political decision-making by a combined use of social institutions like *majalis* and mass mobilization.

The coalition of election boycotters consists of four unequal partners: the Shiite Islamist society *al-Wifaq* has a huge membership of roughly 70.000 persons while its three allies are a lot smaller in size, having each a few hundred members. The second Islamist society, *al-Amal al-Islami*, is different in its

81 Abdullah Sa'adi (23 September 2004).

82 Adil al-Mu'awda (28 September 2004).

83 The new law had forced the societies to reapply with the ministry of justice to which the responsibility had been switched. This triggered a lot of protest by the boycotting societies—including a strike on Friday sermons—but by the end of the three months period the societies were given to register (starting from the law's publication on 03.08.2005) all societies had re-registered.

84 The Sunni Islamists have concentrated their parliamentary activism on questions of decency of women, alcohol, and other moral issues, but also on the topics of social security and pensions. In these areas there might be future consensus with Shiite Islamists. The Sunni Islamists differ with the government in these questions, but on more fundamental issues, there is no conflict. For the deputies questions to ministers and their proposals see <http://www.nuwab.gov.bh>.

constituency, not in its programme: it is an organization of *shiraziyun*.⁸⁵ The other two societies are leftists: *al-Amal al-Watani ad-Dimuqrati* / *al-Wa'ad* is more influential: it has popular exiles and prominent intellectuals among its ranks⁸⁶ and hence manages to influence public discourse quite a lot. Less influential is the (ex-) Ba'athi *at-Tagammu' al-Qawmi*.

The motivation of the election boycott

The point these four societies coalesce around is their rejection of the constitutional amendments created in 2002.⁸⁷ Their rejection is directed against the content of the amendments (above all the legislative powers of the *shura* council) as well as the mechanism of the amendments (royal promulgation). They regard the constitution as perpetuating executive dominance. Without a correction of the constitution of 2002, according to their view, no meaningful progress can be achieved. The distortion of democratic principles they read in the document is caused by the flawed proclamation without consultation. The boycotters demand a contractual constitution (*dustur 'aqdi*), a constitution agreed upon by the ruler and the ruled.⁸⁸ 'It is a question of credibility for us—we cannot legitimise this constitution. [...] The Americans always try to convince us to go slowly and gradually. Going gradually is fine with us but the path has to be the right one. There has to be a real constitutional monarchy at the end of the way.'⁸⁹

This 'fundamental' approach also implies that the boycotters cannot distinguish between the different power circles within the government. 'To me talk of the anti-reform prime minister and the pro-reform camp around king and crown prince is meaningless. They are much the two sides of the same coin', explains an activist lawyer.⁹⁰

While the ideological side to the boycott is clear, there is a pragmatic side to it as well: considering Bahrain's majority voting system it is highly unlikely that the three small societies could have won any seats in the elections. This, however, is certainly not the case for *al-Wifaq* (it fact, it emerged victorious from the municipal elections). Nonetheless, the boycott has the side effect of stabilising internal hierarchies within the societies: it makes it harder for new politicians to achieve a profile and a lot of tactical decisions can be postponed, which is comfortable for both sets of parties: the leftists still struggle with their communist exile and underground identity and *al-Wifaq* hardly manages to integrate its returned exiles with the ex-*intifada* activists.⁹¹

Because of their ideological basis the strategic options open for the coalition are actually limited: since they cannot recognise the institutions created by the amended or new constitution of 2002, their

85 Muhammad ash-Shirazi was a Shiite *marja'*, actually the only case where a dead person is still considered as a model of emulation (died 2001). For self-description of this school, see e.g. <http://www.imam-shirazi.org> and <http://www.alshirazi.com/>. The majority of Bahraini Shiites seem to follow Khamenei, then as-Sistani. No exact data exist.

86 The welcome exiles like Abdunnabi al-'Ikri or Abdurrahman an-Nu'aimi received on their return to Bahrain demonstrates their status as popular heroes. Among *al-Amal al-Watani*'s intellectuals probably sociology professor Munira Fakhru is best known. The society also has a substantial following from Bahraini lawyers.

87 For a comprehensive account of their viewpoint cf. the 'Legal Opinion Concerning the Constitutional Matter of the Kingdom of Bahrain' written by a group of lawyers close to the boycotters.

88 In the course of the boycott, its proponent's discourse has become unitary on that point. Interviews with Hassan Radhi (27 September 2004), Aziz Obol (27 April 2005), Ali Salman (09 May 2005), Abdullah ad-Durazi (18 September 2004), Jalila as-Sayyid (26 February 2004).

89 Aziz Obol (11 October 2004).

90 Jalila as-Sayyid (26 February 2004).

91 It is telling that as soon as signs of a possible participation in the next elections surfaced, *al-Wifaq* has split. As testified by the heated debates within boards and general assemblies prior to the decision on participating or not, the ideological basis of the boycott can be regarded as its main motivation, Interviews with Jawwad Fairouz (10 February 2004), Abdunnabi al-'Ikri (16 September 2004), Mansur al-Jamri (27 February 2004), Ali Salman (09 May 2005).

ability to directly influence legislation is almost naught. Any attempt to discuss with a member of parliament is interpreted as betrayal of the boycott's ideals. The societies, particularly *al-Wifaq*, do, however, have other means to exert pressure on the executive. *Al-Wifaq* being a mass integration party,⁹² the society has developed from a wider social movement with a massive support base. Demanding equality and justice for Bahrain's Shiite population, it is composed of former *intifada* activists, coordinators and returned exiles. A number of clerics are active inside the movement. Its president, the charismatic young (religious) Sheikh Ali Salman is one of the *intifada*'s icons:

I wasn't a member of the Bahraini Freedom Movement (in 1994), I was in the *ma'tim* and in the mosque. When I announced demonstrations after Friday prayers thousands would take to the streets. Thus was our cooperation, nothing secret. Secret work does not befit my [clerical] robe. In London [he was extradited in December 1994] I said to them, o.k., use my name for the cause.⁹³

Typically for mass integration parties, *al-Wifaq* has a plethora of auxiliary organisations (for women, youth, human rights, etc.) and also many locally based branches. Due to the many clerics within the society, it has an 'automatic' connection to the *ma'atim* and mosques.

Phases of the campaign for constitutional change

The campaign had three distinct (if overlapping) phases: at first the boycotters' alliance tried to influence public discourse from conference tables. Later the strategy built on *al-Wifaq*'s asset as it moved towards a combination of a show of force on the streets and behind-the-doors dialogue with the government. The third phase was dominated by mass mobilisation and the use of *majalis*.

When the constitutional coalition was launching its campaign, its initial agenda was designed and dominated by the intellectuals of *al-Amal al-Watani*.⁹⁴ Hence the campaign started in February 2004 with a conference 'Towards a contractual constitution'.⁹⁵ The government reacted sharply against the meeting: it discouraged the hotel where conference rooms had been booked from hosting the event and barred foreign guests from entering Bahrain. While the event was important for fostering the coalition's cohesion, it clearly was no strategy to achieve dialogue with the government on the constitutional question.

A petition

Subsequently the coalition chose to build on the high mobilising potential of *al-Wifaq*. 'Pressure is needed from within and from outside', is a standard assertion by boycotters.⁹⁶ They decided to write a petition for constitutional changes to the king, showing the level of discontent to both, government and outside world.

Petitions have become a way of addressing Gulf rulers considered 'traditional'.⁹⁷ But following the reform process' rationale, the Bahraini king can only hold the position that institutional channels have

92 This party type emerges out of a social movement and aims at integrating its members in most aspects of their lives into the party. This is achieved with the help of subsidiary organizations (women, workers, etc.). Typically mass integration parties demand some degree of ideological commitment from its members, cf. Ann-Kristin Jonasson 2004: 35-44.

93 Ali Salman (09 May 2005). The fact that he is only 40 and rather modern and moderate in his views as well as modest in appearance is surely adding to his popularity—especially with the youth.

94 This shows quite clearly in the vocabulary of the debate on the 'contractual constitution' which is actually pure leftist lawyers' parlance without Islamic links.

95 Papers and programmes of the constitutional conferences in 2004 and 2005 can be found here: <http://www.al-deera.net/motamar2005/html/2004/daleel.htm> [accessed 05 January 2006].

96 Interviews with Aziz Obol (27 April 2005), Ali Salman (09 May 2005), Abdullah ad-Durazi (18 September 2004), Jalila as-Sayyid (26 February 2004).

97 Bahrainis had petitioned the then emir in 1992 and 1994. Petitions have become popular recently in Saudi Arabia as well.

been created through which constitutional changes can be achieved: a two thirds majority in both parliamentary chambers can amend the constitution. To accept a petition could only invalidate his reform project.

The petitioners could confidently expect many signatures, since gaining support with religious backing and infrastructure had proven to be easy in the past.⁹⁸ Expectations for the constitutional petition were high; it was calculated that at the very minimum 50.000 signatures should be collected.⁹⁹ The petition was launched on *ashura*, 'since that day, the whole world is on its feet. [...] The leftist parties will get Sunni signatures, but generally the Shiite population is more active.'¹⁰⁰ In April and May 2004 events around the petition movement escalated as it became clear that *al-Wifaq* managed to efficiently collect the signatures: Young activists had been deployed in every village while others were touring the *ma'atim*. A legalistic squabble between government and the campaigners ensued. The government declared that petitions would only be accepted if submitted by a legal body, not a coalition of legal bodies that was itself not registered.¹⁰¹ *Al-Wifaq* then announced to couple a signature to the petition with membership to the political society—which let its membership grow to today's 70.000.¹⁰² Getting increasingly nervous, the government arrested 17 youthful signature collectors¹⁰³ to prevent the potential embarrassment of the petitioners collecting more signatures than the government managed to persuade voters to cast their ballots.¹⁰⁴

Another mediator and a dialogue

An impasse was reached. Here, too, an outside mediator needed to step in: The editor of '*al-Wasat*', Mansur al-Jamri, invited nine contending political societies to his private house to start discussing the constitution.¹⁰⁵ Only the 'publicly private' nature of the gathering made it possible for all sides to attend. 'We were offering a needed bridge for them to talk and invited nine political societies. Later, the king invited the heads of the nine societies in their function. Then we retreated. We are a newspaper, not politicians, but we have a keen interest that our country does not stay stalemated.'¹⁰⁶

As a participating discussant from the boycotters' side recalls:

We met on four Thursday evenings at Mansur's house. After discussing the problem we moved to solutions and agreed to write a letter to the king asking for the release of the activists and the initiation of a national dialogue on the constitutional question. But the king was quicker than us and had ordered their release before our letter reached him.¹⁰⁷

Later the king met with the heads of nine political societies including the boycotters, in a formal audience—of course not discussing the constitution but as a symbol of openness to dialogue. To offer

98 'Isa Qassim had managed to collect 32.000 signatures against the reform of the family law in one week only', says Mansur al-Jamri (27 February 2004).

99 Jalila as-Sayyid of the constitutional conference's organizing committee (26 February 2004).

100 Abdulhadi al-Khawaja (21 February 2004).

101 Art. 29 of the constitution reads: '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.'

102 Ali Salman (09 May 2005).

103 On 30 April 2004. <http://web.amnesty.org/report2005/bhr-summary-eng>, Gulf Daily News (01 May 2004, 03 May 2004), Bahrain Tribune (01 May 2004). Besides collecting signatures the youths had apparently distributed leaflets by the Bahrain Freedom Movement that called for regime change (which is an offence according to Bahraini penal law).

104 Government officials see the voter turn-out of 53 % as an indirect proof of the constitution's acceptance, e.g. interview with Sheikh Muhammed b. Atiyatallah Al Khalifa (25 February 2004).

105 Abdunnabi al-'Ikri (16 September 2004).

106 Mansur al-Jamri (06 October 2004).

107 Abdunnabi al-'Ikri (16 September 2004).

a face-saving excuse for the boycotters to stop their petition drive, a dialogue on constitutional questions was initiated between the minister of labour¹⁰⁸ as government representative and the boycotting societies.¹⁰⁹ Clearly, constitutional questions do not fall in the minister of labour's portfolio and it would be indeed surprising were the government interested in reaching decisions with groups de-legitimising the reform project. But it was interested in de-escalation. 'Obviously, our aims were very divergent. They want us to participate, we want to change the constitution',¹¹⁰ recalls a participant. The dialogue's futility made the coalition's internal balance shift more and more towards the bigger partner *al-Wifaq*. Up to that point the boycotters needed constitutional experts which secured the small leftist societies' influence. But as the coalition had to modify its strategy and opted for mass demonstrations for constitutional changes, quite naturally the mass movement *al-Wifaq* took over.

Protest Lebanese style

It is impossible to establish any causal relationships but clearly the mass demonstrations of Ukraine and Lebanon in February and March 2005 had a strong impact on Bahraini activists. Following the Lebanese example, banners and stickers in national colours were created. Before, Shiites often sported Iranian or *Hizbullah* flags and emblems which infuriated the government and also alienated other Sunnis.¹¹¹ The demonstrations for constitutional reform received a 'branding'—every participant was given stickers in Bahraini red and white on which was written: 'Constitutional reform first'—actually sparking a reaction of Sunnis marking every other lamp post with 'Bahrain first' stickers.

Two massive rallies were held, one on Sitra island—a traditional stronghold of *al-Wifaq*—and another one in front of a main shopping mall (Dana Mall).¹¹² Estimates as to the number of participants varied greatly; for the Sitra rally organizers estimated 120.000 while the pro-governmental newspaper *al-Ayam* (clearly under-)estimated between 5000 and 7000.¹¹³ Similarly the Dana Mall protest was estimated to have drawn around 15.000 by the convenors, and considerably less by others.¹¹⁴ The coalition of boycotters had abandoned dialogue with the government and resorted to pressure: 'We need two kinds of pressure, both absolutely peaceful: Firstly pressure from inside through mass demonstrations and secondly pressure from outside, from the US.'¹¹⁵

The dangers of this strategy were quite obvious to those who adopted it. The mobilisation of juveniles for rallies is hard to sustain without risking an escalation into violence. Another constant concern is the sectarian nature of protest. Street rallies are dominated by Shiite youth—only few Sunni intellectuals and activists are present. In fact, mass demonstrations tend to rally the economic elite and the Sunni parts of the Bahraini populace around the government. To counter that, Ali Salman and

108 The minister Majid al-Allawi is a returned exile himself who used to work with the Bahrain Freedom Movement in London.

109 Four meetings were held during summer 2004 and on the last meeting the societies were told to present a draft constitution themselves as a basis for discussion. The last meeting took place on 11 September 2004, Abdunnabi al-Ikri (16 September 2004).

110 Abdunnabi al-Ikri (16 September 2004).

111 'What are we supposed to think when they raise their Khamenei flags and their *Hizbullah* banners... oh, of course, now we have demonstrations Lebanese style....', remarks Sheikh Ahmad b. Atiyatallah Al Khalifa, head of the central informatics organisation (25 May 2005).

112 Sitra on 25 March 2005; Dana Mall on 06 May 2005.

113 *Al-Ayam* (26 March 2005); the VAE based newspaper *Gulf News* offers 20.000 (26 March 2005), the pro-oppositional paper *al-Wasat* speaks wisely of 'thousands' (26 March 2005). Aerial photos point to a number lower than the organizers' claim but surely higher than *al-Ayam*'s estimate.

114 My own estimation would amount to probably 5000-7000. A last big demonstration was carried out in Hamad Town on 17 June 2005, attracting less participants, but still in the thousands.

115 Ali Salman (09 May 2005).

others made use of the *majlis* structure of Bahraini society and embarked on a tour through the 'Sunni *majalis* of Muharraq'.¹¹⁶ 'The basic sectarian division of our society is there and we have to take it into account although none of us likes sectarianism. But we always have to put Bahrain first, then other loyalties. We have to get our Sunni brothers to participate. In the end, we are citizens, not Shiites.'¹¹⁷

While this *majlis* tour was well received, it still did not add more (Sunni) supporters to the campaign; pressure on the government did not increase. At the same time *al-Wifaq* as the potential sweeping winner of elections started to slowly bring back other issues into its discourse. As Ali Salman explained at *al-Wifaq*'s 2005 general assembly:

There's no movement in the constitutional question. [...] We have many different opinions with our brothers in the constitutional alliance in many other topics, but we stand firmly together in the constitutional question [...] which is the key to all other questions. [...] But we need a strategy for all the other problems: 1. illegal nationalisations; 2. unemployment; 3. discrimination; 4. corruption; 5. housing; 6. bills in parliament like the law on political societies and the anti-terror law.¹¹⁸

Compromise feasible?

With *al-Wifaq* indicating potential readiness to join the next elections, deliberations for some possible compromise on the *shura* council started behind the scenes. As described in the introductory note, parliamentarians addressed Sheikh Isa Qassim rather informally with suggestions for a possible compromise. The royal court - it was leaked through some *majalis*¹¹⁹ - had elaborated different potential forms of compromise on the *shura* council, proving some receptiveness to the massive popular protest without giving the impression of being coerced 'by the street'. Discussions involve a change of the procedure of appointment to the *shura* council, following on the Moroccan model of indirect elections.¹²⁰ *Al-Wifaq* itself was not compromised by such talk with 'illegal' parliamentarians since it involved only Isa Qassim—who is not a member.

The strategies of trying to wield influence outside of state institutions have produced ambivalent results. For the coalition of boycotters' biggest partner, *al-Wifaq*, it has been quite successful: through showing its massive following in the petition and in the demonstrations it has quite possibly achieved some changes in the state's institutional set-up. It might well participate in the next parliamentary elections without losing too much credibility. Moreover, it could still retain its popular activism even if it had deputies in the chamber.

In the course of its boycott *al-Wifaq* has lost opportunities to influence other pieces of legislation (like the law on political societies), but this might well be offset by the potential gain it has made through the boycott:

- - it has proven to be a real opposition, quite possibly capable of forcing even institutional structural changes on the government;
- - it has renewed its organisational capabilities in the villages (e.g. petition activists);
- - it has gained intellectual profile through its alliance with leftist intellectuals and the debate on a contractual constitution;

116 Muharraq is one of Bahrain's island. Its old quarters host some traditional Sunni areas.

117 Ali Salman (09 May 2005).

118 Opening speech of Ali Salman (28 April 2005).

119 Interview partners preferring anonymity on this issue.

120 This would be consistent with the National Action Charter and could be achieved even without changes in the constitution by amending the parliamentary by-laws. A reduction to half the seats (20 *shura*, 40 *nawwab* instead of 40:40) or a limitation of the *shura*'s veto power (the model currently favoured by *al-Wifaq*) seems unlikely since it's less consistent with the wording of the National Action Charter.

- - particularly its president Ali Salman has managed to gain more trust from Sunni circles through his *majlis* tour and his constitutional rather than Islamist discourse.

Rather different are the results for the three other parties of the coalition: they stand to lose a lot. Since they do not have a mass following they cannot sustain a boycott on their own nor do they have the capacity to press any further for constitutional changes. In Bahrain's majority vote system it will be exceptionally hard to win any seats in parliament without an electoral alliance with *al-Wifaq*. A formal arrangement seems unlikely, though, since it would firstly demand considerable self-restraint by the bigger partner and secondly is regarded as 'undemocratic'. The liberal activist Aziz Obol actually confirms the first point when saying 'We are a lot better off than we were before the boycott since *al-Wifaq* is ready to support us, I've been told many times. Also, we've gained prominence with the masses—we liberals now could easily win against a weak candidate from *al-Wifaq*—of course not against Ali Salman.'¹²¹

3.3. Redressing the past with mass seminars? The Bahrain Centre for Human Rights (BCHR) as radical opposition

While the above example describes a movement capable of pragmatic strategic shifts, other groups have less options and hence a more clear-cut approach. The most radical opposition group currently found in Bahrain has put the question of social justice on its agenda, i.e. discrimination, poverty and the redress of past state violations against parts of the Shiite majority population. Consistent with that rationale, this group has chosen to organize as an NGO, although with political goals: the Bahrain Centre for Human Rights (BCHR) led by Abdulhadi al-Khawaja.¹²² Al-Khawaja had returned from exile in Copenhagen and is a follower of the *marja'* Muhammad ash-Shirazi, as is only a small minority of Bahraini Shiites. As sectarian identity plays a prominent role in Bahrain this poses an obstacle to gaining political support.¹²³ To fish for the more radical (or less patient) fringes of the Shiite movements is, therefore, an obvious choice. It is not possible to draw a clear-cut line between *al-Wifaq* supporters and those of the BCHR since both have the same roots.¹²⁴ Observably the more confrontational approach taken by the BCHR is more attractive to the youth than to elders. The BCHR and its allies¹²⁵ address two main audiences and hence employ two different rhetoric strategies: Pro-democracy rhetoric is directed mainly to US and UK audiences.¹²⁶ The Bahraini audience on the other hand is addressed in sectarian terms, as will be shown below.

An activist in prison

The BCHR's radicalisation strategy crystallised when Abdulhadi al-Khawaja gave a speech at a seminar on poverty—actually designed to launch one of the centre's reports done highlighting the concentration of poverty within the Shiite community—in which he called in no uncertain terms for the resignation of the prime minister, actually hinting he should rather be watching the country's

121 Aziz Obol (27 April 2005).

122 The BCHR was co-founded by leftists who subsequently were marginalized by al-Khawaja and his circle and left the club. Interviews with Aziz Obol who was a liberal member of the BCHR before (27 April 2005) and Faisal Fulad (10 May 2005). Al-Khawaja had been in exile for 24 years. In Copenhagen he was with the 'Bahrain Human Rights Organization', a subsidiary of the *shirazi* 'Islamic Front for the Liberation of Bahrain', cf. Meinel 2002: 157.

123 To insinuate the presence of 'hidden agendas' of the respective other sectarian / ethnic group is omnipresent even with 'seculars'. It is not a religious question, but one of national loyalty. Phrases like 'as a *shirazi* he's with Iran' are heard from non-*shirazi* Shiites and Sunnis alike. For earlier relations between the *shiraziyun* and the Iranian revolutionaries see Meinel 2002: 152-159.

124 Both developed from the social movement for equality emerging through the *intifada*.

125 Mainly the 'Committee for Martyrs and Victims of Torture' led by Abdurra'uf Shayib.

126 Both, governmental and NGOs.

affairs from another place.¹²⁷ The authorities easily construed an incitement of hatred from his remark. In fact, the activist wanted to provoke a strong government reaction since he clearly overstepped the boundaries of possible critique.¹²⁸ The next day he was arrested, the BCHR dissolved,¹²⁹ and the 'Uruba club that had hosted the seminar was closed for 45 days.

The preceding day the crown prince had actually launched a very similar report, also highlighting poverty and unemployment and thus implicitly voicing an extremely harsh critique against the government of his grand-uncle,¹³⁰ marking a spectacular departure from the previous (and since) dominant practice of family solidarity and unity. Al-Khawaja's direct attack on the prime minister the following day, however, played immediately into the latter's hand: On the evening of al-Khawaja's arrest, king and crown prince had to rush to see the prime minister at his court and for subsequent weeks the prime minister used all opportunities to show the strength of his supporters: Huge solidarity adds were published in newspapers by companies, (Sunni) city quarters, and tribes. Banners praising the prime minister were displayed all over the country—apart from the Shiite villages, obviously. Delegations visited his *majlis* daily and received a lot of publicity in all newspapers but '*al-Wasat*'. As one observer put it: 'His solidarity machine works like in the old days. His office calls you and says, we want a sign from you and your brothers, from you and your tribe, you and your company... And the crown prince is marginalized for the next months.'¹³¹

During the two months al-Khawaja remained in custody, his supporters held regular protests and managed to elicit several press releases of Human Rights Watch and Amnesty International.¹³² The court sentenced al-Khawaja to one year in prison.¹³³ Later the same day he was pardoned by the king. The BCHR has remained unlicensed but nonetheless has carried on its activities. Although its strategy had actually strengthened that part of government most resistant to reform, the BCHR has not modified it—most probably because the primary aim is to fish for *al-Wifaq* supporters, much rather than influencing political-decision-making.

More confrontation

Al-Khawaja founded a subsidiary to the BCHR, the 'Unemployment Committee' which started on a similar confrontational trajectory. A series of demonstrations (with little more than a hundred participants) down Manama's main street at the rush hour—angry Bahrainis were quick to label them 'bread and mobile demonstrations' after the utensils the unemployed were sporting—had not produced any police reaction. The group changed venues and started to demonstrate in front of the royal court's main entrance,¹³⁴ and later announced a demonstration where rotten eggs would be thrown on parliament.¹³⁵ In both incidents the protesters were severely beaten up by riot police. Without justifying the excessive police violence it was clear that the protesters were looking for some

127 'Uruba club, Manama, 24 September 2004.

128 This is how virtually everyone judged his speech, including those sympathetic to him. I actually had an appointment with him the following day which he cancelled immediately before stepping on the podium with 'I am afraid I will be very busy after this.... Let's telephone some time.'

129 On the grounds that it was not licensed for political work but for HR business only.

130 On 23 September 2004. Al-Ayam (24 September 2004), al-Wasat (24 September 2004), Akhbar al-Khaleej (24 September 2004). Crown prince's initiative see <http://www.bahrainedb.com/>.

131 Interview partner made anonymous (06 October 2004).

132 Those can be accessed on <http://www.hrw.org/doc?t=mideast&c=bahrai> and <http://web.amnesty.org/library/Index/ENGMDE110032005?open&of=ENG-BHR> (public statement MDE 11/003/2005 (Public) News Service No: 196 19 July 2005).

133 On 21 October 2004.

134 On 19 June 2005.

135 On 15 July 2005.

confrontation since both locations (royal court and parliament) are implicitly off-limits for demonstrations.¹³⁶

A mass seminar

The BCHR, meanwhile, remained active, too. To counter *al-Wifaq's* constitutional rallies it concentrated on the question of past human rights violations and the government's unwillingness to tackle them and invited to a mass seminar (*nadwa jamahiriyya*) to one of the villages.¹³⁷ The topic to be discussed was the regular meeting between the Bahraini government and the UN commission concerned with the Covenant Against Torture that had taken place in Geneva previously.¹³⁸

The mass seminar indeed drew an audience of about two or three thousand Bahrainis.¹³⁹ In stark contrast to *al-Wifaq's* constant effort not to appear sectarian, the BHRC pursues the opposite strategy: while their rhetoric to international NGOs is completely consistent with Western democracy promotion parlance, the symbolism the BCHR uses inside Bahrain is overtly Shiite: even the water dispensers at the mass seminar's venue were decorated with swords from which Hussayn's blood dropped.¹⁴⁰ While the discussion around redressing past state violations took some room, the focus was political. This was amply demonstrated by a live phone call to Sa'id Shihabi, the only person still in London with the Bahrain Freedom Movement, who read an anti-ruling family pamphlet.¹⁴¹

The strategy of the BCHR and its subsidiaries does not focus on influencing the government's decision-making process. It does not enter into discussions with either government or parliamentarians on concrete demands (like a possible compensation to torture victims, an official acknowledgment of past state violations): rather it voices demands that attract the more radical supporters of *al-Wifaq*. One of their demands is to have 70 *intifada* victims proclaimed 'national martyrs' which is not acceptable to the government. When addressing the unemployment issue the activists' influence is detrimental to the cause as they strengthen the anti-reform camp within government.

Their main aim seems to be an attempt to curb out a share of votes from the *al-Wifaq* dominated Shiite population with Islamist leaning. Whether this is the case can be demonstrated only if their main activists' decided to file their candidacy for the next elections.

136 The same evening the demonstrators were beaten up at the parliament, supporters gathered at the Khawaja mosque in Manama. Reportedly chants of 'Death to the Al Khalifa' were heard for the first time since the reforms had started. Cf. <http://chanad.tk/> (entry of 17 June 2005) with photos.

137 In collaboration with the Committee for Martyrs and Victims of Torture lead by Abdurra'uf Shayib in Bilad al-Qadeem, 25 May 2005.

138 The documents can be accessed at the United Nation's Office at Geneva's (UNOG) website at http://www.unog.ch/unog/website/news_media.nsf/%28httpNewsByYear_en%29/81CB8FC6421CED51C12570070048E579?OpenDocument.

Other Bahraini human rights NGOs had also participated, but only the 'competing' Bahrain Human Rights Society was in the official programme - the others had missed the deadline to hand in their shadow reports.

The following Bahraini NGOs were present in Geneva: The Bahraini Human Rights Society, the (dissolved) Bahraini Human Rights Centre, the Bahraini Human Rights Watch Society, the Committee for Martyrs and Victims of Torture (Shiite), the Committee for the Victims of Terror (ad-hoc Sunni organisation depicting the Shiite *intifada*-activists—among them activists from Committee for Martyrs and Victims of Torture - as terrorists).

139 Own estimate.

140 The equation of current suppression of Shiites with the oppression and murder of Hussayn (and the rest of the Shiite '*umama*', for that matter), of the Al Khalifa with the Umayyads is widely spread and surfaces in the decorations for religious festivals, first of all '*ashura*'.

141 Like those found on the Bahrain Freedom Movement's website in English and Arabic: www.vob.org.

4. Conclusion

The structures set by the reforming but authoritarian state allow for limited formal participation. The bicameral parliament gives the appointed *shura* council a veto power on any legislation. The deputies in the elected chamber can participate in legislation within these parameters. Moreover, they can supervise government actions. However, effective participation in legislation by elected deputies is hampered by another two factors:

1. an unwillingness by the deputies to bargain with the members of the *shura* council who, after all, do not act as a monolithic actor;
2. the unbalanced set-up of the chamber itself, which is not least due to the boycott of the parliamentary elections in 2002 by four political societies. Hence the Shiite parts of the population are not represented adequately in the chamber. The majority of deputies with Shiite background are not organized in political societies while their Sunni counterparts are. These, however, feel to have more common interest with the government in most contentious issues than they have with the Shiite political activists.

The Shiites have in a great number opted for staying outside the institutions and, therefore, cannot influence any concrete legislation. They can participate in agenda setting, though. The coalition of election boycotters, consisting of two Shiite Islamist and two leftist societies, has done this efficiently with regard to the 'constitutional question'. The more the coalition incorporated mass demonstrations and *majalis* dialogue into their strategy, the more influential their agenda setting efforts have become.

The regime has proven to be receptive towards street agitation. Still, if the strategy of exerting pressure on the government by means of massive demonstrations has proven to be beneficial for the biggest party of the coalition, it might prove a lot less so for its small leftist partners: those might find themselves marginalised.

Finally, the strategies of the most radical opposition appear to be directed towards the government, but may in fact aim at quite different an end: these groups try to attract supporters from their political competitors. By seeking confrontation with the government they are successful particularly with the disenfranchised youth. This oppositional infighting strengthens the anti-reform camp within the government but otherwise fails to influence decision-making. Moreover, escalation strategies aggravate the very sectarian conflicts that obstruct meaningful political participation in Bahrain in the first place.

References

- Bahrain Monetary Agency/ Economic Research Directorate. 2004. *Economic Indicators June 2004*. Manama.
- Bahrain Transparency Society. 2002. *More Transparency for Enhanced Election Integrity*. Manama.
- Brumberg, Daniel. 2002. 'Democratization in the Arab World? The Trap of Liberalized Autocracy', *Journal of Democracy*, 13 (4), pp. 56-86.
- Carothers, Thomas. 2004. 'Democracy's Sobering State', *Current History, special edition The World 2005*, December, pp. 412-416.
- Collier, David and Steven Levitsky. 1997. 'Democracy with Adjectives', *World Politics*, 49, pp. 430-451.
- Group of Bahraini lawyers. 2002. *Legal Opinion Concerning the Constitutional Matter of the Kingdom of Bahrain* [online] available on: <http://mahmood.tv/index.php/docs/500> (English version) [accessed 03 January 2006].
- Human Rights Watch. 1997, *Routine Abuse, Routine Denial. Civil Rights and the Political Crisis in Bahrain*. New York, Washington, London, Brussels.
- Jonasson, Ann-Kristin. 2004. *At the Command of God? On the Political Linkage of Islamist Parties*. Göteborg: Göteborg Studies in Politics.
- Khalid b. Khalifa Al Khalifa. 2005. *at-takwin ath-thuna'i al-mutawazin li's-sulta at-tashri'iyya*, paper presented at the workshop 'Aliyat wa quwam wa salahiyat majlis ash-shura', Manama 05.05.2005.
- Al-Khawaja, Abdulhadi (Bahrain Centre for Human Rights). 2003. *Discrimination in Bahrain: The Unwritten Law*. Paper presented at a seminar at the House of Lords, London, 16.12.2003.
- Khuri, Fuad I. 1980. *Tribe and State in Bahrain. The Transformation of Social and Political Authority in an Arab State*. Chicago, London: University of Chicago Press.
- Mackow, Jerzy. 2000. 'Autoritarismen oder 'Demokratien mit Adjektiven'?. Überlegungen zu Systemen der gescheiterten Demokratisierung', *Zeitschrift für Politikwissenschaft*, 10 (4), pp. 1471-1500.
- Meinel, Ute Devika. 2002. *Die Intifada im Ölscheichtum Bahrain. Hintergründe des Aufbegehrens von 1994-98*. Münster: Lit-Verlag.
- Merkel, Wolfgang, Aurel Croissant. 2000. 'Formale und informale Institutionen in defekten Demokratien', *Politische Vierteljahresschrift* 41, pp. 3-30.
- O'Donnell, Guillermo. 1993. 'Delegative Democracy', in: Diamond, Larry / Marc F. Plattner (eds.), *The Global Resurgence of Democracy*, Baltimore/London: Johns Hopkins University Press, pp. 94-108.
- Ottaway, Marina. 2003. *Democracy Challenged. The Rise of Semi-Authoritarianism*. Carnegie Endowment for International Peace, Washington D.C.
- Parliamentary Human Rights Group London. 1996. *Bahrain. A Brickwall. Correspondence between Lord Avebury and the Foreign and Commonwealth Office of the British Government on the Human Rights Situation in Bahrain*. London.
- As-Sayyid, Jalila. 2003. *at-Tamyis. Ru'iyya qanuniyya*. Paper presented at a seminar on discrimination organized by the Bahrain Centre for Human Rights, Manama, 16.10.2003.

al-Wifaq. 2005. *Min agli al-Bahrain. Istratijiyyat 'amal 2005 li-jamiyya'at al-Wifaq al-Islami al-watani*. Manama.

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