

# JORDAN

## 1. PRESENTATION<sup>1</sup>

Basic Facts <sup>2</sup>	
<b>Name of Country</b>	Hashemite Kingdom of Jordan (Jordan)
<b>Capital</b>	Amman
<b>Population</b>	5,906,760
<b>Area</b>	92,300 sq km
<b>Average Life Expectancy</b>	78.4 years
<b>Ethnic Groups</b>	Sunni Muslim 92%, Christian 6% (majority Greek Orthodox, but some Greek and Roman Catholics, Syrian Orthodox, Coptic Orthodox, Armenian Orthodox, and Protestant denominations), other 2% (several small Shi'a Muslim and Druze populations) (2001 est.)
<b>GDP per capita,PPP</b>	\$4,700

Community of Democracies	
<b>Previous Participation</b>	Warsaw: Participant Seoul: Participant Santiago: Participant

### Timeline of Recent Major Events in Jordan

- **1989** - First general election since 1967, contested only by independent candidates because of the ban on political parties imposed in 1963.
- **1997** - Parliamentary elections boycotted by several parties, associations and leading figures.
- **1999 February** - King Hussein dies. Crown Prince Abdullah ibn al-Hussein is sworn in as king.
- **2003 June** - First parliamentary elections under King Abdullah II. Independent candidates loyal to the king win two-thirds of the seats.
- **2003 October** - A new cabinet is appointed following the resignation of Prime Minister Ali Abu al-Ragheb. Faisal al-Fayez is appointed prime minister.
- **2005 April** - A new cabinet is sworn in, led by Prime Minister Adnan Badran, after the previous government resigns amid reports of the king's unhappiness over the pace of reforms.
- **2005 November** – Suicide bomb attacks in three Amman Hotels kill 63 people. King Abdullah appoints a new cabinet and pledges to fight terrorism.
- **2006 November**— Under a cabinet re-shuffle nine new ministers are sworn in, including one Islamist. The new cabinet will reportedly focus on socioeconomic issues and writing new laws on political parties, municipalities, and the press.

<sup>1</sup> Principal author: Freedom House

<sup>2</sup> Source: CIA World Factbook at <http://www.cia.gov/cia/publications/factbook/index.html>, accessed on August 4, 2006

## 2. BACKGROUND

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The Hashemite Kingdom of Jordan, known as Transjordan until 1950, was established in 1921 as a League of Nations mandate under the control of Great Britain and granted full independence in 1946. Following the assassination of King Abdullah in 1951, the crown passed briefly to his mentally unstable eldest son, Talal, and then to his grandson, Hussein, who remained in power until 1999. Although the 1952 constitution provided for a directly elected parliament, political parties were banned in 1956, and parliament was either suspended entirely or emasculated by government intervention in the electoral process for over three decades.

By the time of Hussein's death and the ascension of his son, Abdullah, the kingdom was faced with severe economic and social problems. The September 2000 outbreak of the al-Aqsa *intifada* (uprising) in the West Bank and Gaza inflamed anti-Israeli sentiments among Jordanians of Palestinian descent, leftists, and Islamists, who dominate much of the country's civil society. As the violence next door continued unabated, the Professional Associations Council (PAC) formed an "anti-normalization" committee to spearhead mass demonstrations demanding the annulment of Jordan's peace treaty with Israel. The government reacted by suppressing criticism of Jordanian relations with Israel and banning all demonstrations. In 2001, Abdullah dissolved the parliament, postponed parliamentary elections scheduled for November, and replaced elected municipal councils with state-appointed local committees. For more than two years, Abdullah ruled by decree, issuing more than 200 "temporary laws" that weakened due process protections and imposed new restrictions on freedom of expression and assembly.

In 2003, reasonably free and transparent, though not fair, parliamentary and municipal elections were held. An informal understanding was reached between the palace and dissident leftist and Islamist groups: in return for limited freedom to express themselves and participate in the political system, the latter reportedly agreed to curtail their efforts to mobilize public opinion against Jordan's pro-U.S. alignment as long as progress was being made at the economic level.

Jordan was a participant in the Santiago Ministerial in April 2005, at a time when a 26-member National Agenda Committee appointed by Abdullah was drafting a framework for political, economic, and social reforms. It was then noted, however, that the committee's domination by palace loyalists indicated that its purpose was mainly to strike a consensus within the political elite, not the population at large.<sup>3</sup> In November, shortly before the release of the National Agenda, Abdullah sacked reformist Prime Minister Adnan Badran, after a powerful coalition of 49 loyalists in the 110-member assembly accused Badran's team of bowing to a US reform agenda.<sup>4</sup> The sacking was seen as part of an ongoing battle between Jordan's elite Western-educated reformers and

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<sup>3</sup> Freedom House, *Freedom in the World 2006* (New York: Rowman and Littlefield, 2006).

<sup>4</sup> Jordan: Year in Review 2005: Democratic Developments, *IRINnews.org*, Accessed August 10, 2006.

the entrenched forces in the Parliament and Senate.<sup>5</sup> Badran was replaced by Maaruf al-Bakhit, who remains the current prime minister.

The National Agenda was released in December 2005, calling for significant reform in both the political and social spheres. Paramount among the recommendations was a proposal to encourage greater party participation in elections. If the recommendation were to be carried out, the current one-person one-vote system in choosing Parliament would be replaced by the partial use of party lists, enabling opposition parties such as the Islamic Action Front (IAF) to make significant gains.<sup>6</sup> This proposal was the source of heated debate even among the National Agenda Committee, however, and a new election law is yet to be passed. The Agenda also tackled media reform, calling for significant reforms limiting censorship and state ownership of media outlets, and recommending that steps be taken to prevent the detention of journalists. In regards to women's rights, the agenda recommended that the government "ensure equality and remove all forms of discrimination against women in Jordanian laws and legislation"<sup>7</sup>

### 3. ANALYSIS

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#### **Elections and Democratic Participation**

Citizens of Jordan do not have the power to change their government democratically. King Abdullah holds broad executive powers and may dissolve parliament and dismiss the cabinet at his discretion; the king appoints members of the cabinet, led by a prime minister. The electoral system is heavily skewed toward the monarchy's traditional support base. The single-member-district system, introduced in 1993, favors tribal and family ties over political and ideological affiliations, while rural districts with populations of Transjordanian origin are overrepresented relative to urban districts, where most Jordanians of Palestinian descent reside. (According to the *Financial Times*, Amman has a National Assembly member for every 52,255 voters, while the small town of Karak has a member for every 6,000 voters.) In 2003, only 27 percent of registered voters went to the polls in Amman, a possible indication that many Palestinian Jordanians still feel excluded from the political system.<sup>8</sup>

Few avenues exist for informing citizens and political parties about government activities. Formally, Article 96 of the constitution allows Parliamentarians to pose questions to Ministers on public issues. In practice, few such inquiries are made, and better connected Parliamentarians simply rely on informal means to gather information. Parliamentarians and civic associations regularly complain of the lack of knowledge about draft bills in preparation or temporary laws. For example, upon the return of the elected Parliament in 2003, members were surprised to find that instead of an expected

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<sup>5</sup> "Arab Democracy, a U.S Goal, Falters" *The New York Times*, April 10, 2006, Accessed through Nexis on August 9, 2006.

<sup>6</sup> "Jordan Islamists stir tensions by displaying election skills" *The New York Times*, May 12, 2006. Accessed through Nexis on August 9, 2006.

<sup>7</sup> "National Agenda: The Jordan we strive for".

<sup>8</sup> *Freedom in the World 2006*.

100 to 150 temporary laws, the number presented to Parliament actually approached 250.<sup>9</sup>

Since the late 1990s, civil society activists and opposition candidates have increasingly complained that the principal intelligence and security arm of the government, the Government Intelligence Directorate (GID), regularly intervenes in Parliamentary votes as well as electoral campaigns. In the 2003 election, for example, one Parliamentary candidate reported receiving a warning from the head of the GID about his campaign platform: “If your sons want to work in Jordan in the future, it might affect them.”<sup>10</sup> In 2005, the National Center for Human Rights (NCHR) reported that members of several political parties were summoned by security officials on charges of distributing criticisms of government economic policies.<sup>11</sup>

Political parties are legal in Jordan, yet historically very weak.<sup>12</sup> Of the two dozen or so political parties, only the IAF is viable and effective. In part, this general weakness is due to the simple fact that political power is centralized within the monarchy, and thus parties are not competing for genuine political power or participation. More specifically, this weakness is tied to the lack of electoral representation in Jordan. Although the National Agenda called for a strengthening of political parties as part of its reform program, as of yet no reforms have been enacted.

### **Rule of Law**

Jordan has three court types: civil courts, which adjudicate civil and criminal cases; *Sharia* and other religious courts, which adjudicate personal status and family issues; and the State Security Court (SSC), which in theory rules only on threats to national security (which include, among other issues, defamation of the monarchy, drug trafficking, armed insurrection, and financial crimes).<sup>13</sup> While most trials in civilian courts are open and procedurally sound, the SSC may close its proceedings to the public (though this did not happen in 2005).<sup>14</sup> The SSC was established in 1991 after the end of martial law.

Though state authorities have avoided a return to formal martial law, the judicial mechanisms of martial law and its repressive effects have been reintroduced through the increased use of the SSC and the manipulation of civilian courts. The SSC is comprised of a three-judge panel, whose members can be military or civilian and are appointed by the Prime Minister. The acceptance of testimony under duress, limited pre-trial access to

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<sup>9</sup> Curtis R. Ryan and Jillian Schwedler, “Return to Democratization or New Hybrid Regime?: The 2003 Elections in Jordan,” *Middle East Policy* XI, 2 (Summer 2004): 143.

<sup>10</sup> Neil MacFarquhar, “Heavy Hand of the Secret Police Impeding Reform in the Arab World,” *The New York Times*, 14 November 2005. Accessed through Nexis August 8, 2006

<sup>11</sup> “Status Report of Human Rights, The Hashemite Kingdom of Jordan, 2005,” (Amman: The National Centre for Human Rights [NCHR], 2005), p. 29.

<sup>12</sup> Freedom House, *Countries at the Crossroads 2006* (New York: Rowman and Littlefield, 2006).

<sup>13</sup> *Freedom in the World 2006*.

<sup>14</sup> *Freedom in the World 2006*.

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a lawyer, and the secret military character of the SSC intimidate defendants and compromise judicial independence.<sup>15</sup>

The GID is not under civilian control but reports directly to the king. Observers in and out of Jordan agree that the GID and affiliated military/security agencies regularly violate human rights through extra-constitutional detainment and abuse. The GID operates both internationally and domestically, maintains a number of secret detention facilities outside public scrutiny, and is generally judged to be one of the government's largest bureaucracies. The sole event in which a high-ranking GID official was held accountable for his actions was the July 2003 conviction (by the SSC) of former GID head Samih Batikhi on fraud and embezzlement charges. This was the first time a head of the GID was put on trial, but observers suggested that Batikhi's crimes were much more extensive and politically sensitive than those for which he was convicted. Moreover, the lack of investigations or indictments since suggests the Batikhi trial was extraordinary and not likely to be repeated.<sup>16</sup>

In May 2005, King Abdullah named General Samih Asfura, a long-time assistant to Batikhi, to head GID. The king also created a new National Security Agency, but its functions are unknown.<sup>17</sup> In the wake of the November 2005 bombings, dissidents and opposition figures expressed fear that the interference of the GID in domestic political issues would continue to expand. In particular, the role of the GID in manipulating and intimidating the political opposition and civil associations is expected to increase. Given the power and independence of GID officials, speculation has also increased in the private sector community that some officials operate businesses that profit from public works contracts and trade monopolies.

### Separation of Powers

Political power is centralized in the monarchy, which rules by decree and manipulates the electoral process. The 110-seat lower house of the National Assembly, elected through universal adult suffrage, may approve, reject, or amend legislation proposed by the cabinet, but is limited in its ability to initiate legislation and cannot enact laws without the assent of the 55-seat upper house of the Assembly, which is appointed by the king. Regional governors are appointed by the central government, as are half of all municipal council members.

The judiciary is subject to executive influence through the Justice Ministry and the Higher Judiciary Council, whose members are appointed by the king. The SSC has been used to supplant and bypass civil courts to punish journalists and opposition figures on misdemeanor charges. In addition to this interference, the autonomous operation of civil

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<sup>15</sup> "Jordan: Attacks on Justice 2000," *International Commission of Jurists*, [http://www.icj.org/news.php3?id\\_article=2577&lang=en](http://www.icj.org/news.php3?id_article=2577&lang=en), Accessed August 9, 2006

<sup>16</sup> *Countries at the Crossroads 2006*

<sup>17</sup> "Jordan gets new intelligence chief," *Al-Jazeera.net*, 5 May 2005. <http://english.aljazeera.net/NR/exeres/872BA63F-E2BB-4E56-AA3A-D340E73FD8D1.htm>, Accessed August 9, 2006

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courts is impaired by internal factors. The Higher Judicial Council is tasked with the appointment and transfer of judges. However, the Council, which consists of judges and senior ministry officials, lacks independence and is accountable to the king, not Parliament. Judicial appointments are consistently criticized as reflecting particularistic interests, not professional merit or judicial philosophy.

### Civil Liberties

Numerous reports of torture, discrimination towards women and minorities, prolonged and arbitrary detention, and poor treatment of children have overshadowed Jordan's recent civil rights record. While the constitution and penal code expressly outlaw torture, detention without trial, and arbitrary arrest, in practice state enforcement has been weak and citizen complaints of mistreatment by state officials are rarely heeded. Human rights observers and opposition leaders consistently highlight patterns of violations of individual rights. While the penal code calls for prosecutor notification 24 hours after a suspect's arrest and the filing of formal charges within 14 days, delays and extensions can significantly postpone trials and lengthen pretrial imprisonment.

Human rights groups have reported that the GID frequently uses torture methods that include beating, sleep deprivation, extended solitary confinement, and physical suspension.<sup>18</sup> There have been approximately 100 allegations of torture in the last ten years.<sup>19</sup> Confessions extracted under torture are often used as evidence before the SSC, and have led to the execution of prisoners. It is widely assumed that Jordan is one center for the US "extraordinary rendition" program, in which US authorities covertly turn individuals over to foreign governments for interrogation that likely involves torture. Amnesty International has reported that at least ten individuals subjected to torture in Jordan were part of the program.<sup>20</sup>

Discrimination and violence towards women and minorities continue to be a prevalent issue in Jordan. Human rights groups reported that dozens of women were administratively detained without charge or trial<sup>21</sup>, and a little-known government agency, the Department of Family Protection, released a 2005 study indicating that between 1998 and 2005, 1,761 crimes were reported against women, including rape, kidnapping, and honor killings.<sup>22</sup> Article 98 of the Penal Code continued to be invoked in defense of men tried for killing female relatives. The article allows for reduced sentences when murders are committed in a "fit of rage" caused by "unlawful" or dangerous acts on the part of the victim. In May 2005, a 19-year-old Ramtha man identified in the media as "Mohammad M.," surrendered to the police after stabbing to death his 24 year old sister, whom he suspected of committing adultery. The court accepted his article 98 defense and

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<sup>18</sup> "Country Reports on Human Rights and Practices—2005", The State Department, March 8<sup>th</sup>, 2006. <http://www.state.gov/g/drl/rls/hrrpt/2005/61691.htm>, Accessed August 8, 2006

<sup>19</sup> "Jordan: Systematic torture of political suspects" Amnesty International, July 24<sup>th</sup>, 2006, <http://news.amnesty.org/index/ENGMDE160082006>, accessed August 8, 2006

<sup>20</sup> Ibid.

<sup>21</sup> Amnesty International Country Reports 2006—Jordan, <http://web.amnesty.org/report2006/jor-summary-eng>, Accessed August 9, 2006

<sup>22</sup> "Women's rights violations rise in Jordan," United Press International, 21 June 2005.

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reduced his sentence to manslaughter, with six months imprisonment.<sup>23</sup> In the past year at least five men have benefited from reduced sentences due to the act, and at least 12 women have died as a result of family killings.<sup>24</sup>

The status of children from the marriage of a Jordanian woman to a foreign man remains unresolved. There are an estimated 40,000 to 150,000 such marriages. Children born from these marriages are unable to receive Jordanian citizenship. Increasingly the non-Jordanian spouse is simply deported. Married women do not have the legal right to transmit citizenship to their children born from a non-Jordanian father; however, since 2002 the government has permitted Jordanian women married to non-Jordanian men to pass citizenship to their children upon the permission of the Council of Ministers. In practice this permission was usually granted, except in cases where the father was Palestinian.<sup>25</sup> Inheritance laws still favor males.

There were numerous reports in the past year of discrimination and violence towards minorities living in Jordan. Many citizens of Palestinian origin have had their Jordanian national numbers revoked arbitrarily by interior ministry employees, and others claim that their temporary passports have been confiscated after spending time in the West Bank. There were also reports in June of an attack on a group of Iranian Kurdish refugees by security forces. On the 14<sup>th</sup> of June, 2006, the refugees were holding a peaceful protest against living conditions when they were allegedly attacked. Several injuries were reported. A UNHRC report released in January 2007 estimated that approximately 700,000 Iraqi refugees were currently living in Jordan, often in extreme poverty.

### **Media Freedom and Freedom of Speech**

Freedom of expression continues to be severely restricted in Jordan, as evidenced by the recent arrest of four MPs in June 2006 who expressed condolences to the family of *al Qaeda* leader Abu Musab al-Zarqawi. They were prosecuted under article 150 of the penal code, which bans all writing and speech that is “intended to, or results in, stirring up sectarian or racial tension or strife among different elements of the nation.” Though senior politicians have said that provisions such as article 150 will no longer be enforced, articles of the penal and press codes continue to restrict criticism of the royal family, the National Assembly, public officials, and the armed forces. According to the law that governs the Jordan Press Association (JPA), JPA membership is mandatory in order to work legally as a journalist. In the past, critical journalists have been excluded from the JPA and thereby prevented from practicing their profession. Among the National Agenda Committee’s proposals was the striking of the requirement that journalists belong to the JPA. A draft law on access to information was introduced in 2005, the first of its kind in the region, though the law has been criticized for its many loopholes. In July 2005, the cabinet proposed a new press law that would abolish prepublication censorship and the arrest of journalists who had been performing their work. Journalists would be protected

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<sup>23</sup> “Country Reports on Human Rights and Practices—2005”

<sup>24</sup> Amnesty International Country Reports 2006—Jordan

<sup>25</sup> “Country Reports on Human Rights and Practices—2005”

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from having to reveal their sources, and banning a publication would require a court ruling. However, the Parliament has not enacted either reform.

There have been several recent reports which demonstrate the necessity of media law reform. Editors and journalists have received official warnings to refrain from publishing certain articles or to avoid certain topics, and security officials have pressured printers to hold publications until editors agree to remove sensitive stories. In May 2006, two journalists, Jihad Momani and Hisham Al-Khalidi, received a two-month jail sentence for re-printing cartoons of the prophet Mohammed that originally appeared in the Danish press.<sup>26</sup> Also in May, intelligence officials detained Fahd al-Rimawi, editor of the weekly *al-Majd*, and interrogated him regarding an article he had written raising questions about the timing of the government announcement about a discovered arms cache Hamas allegedly intended to use against Jordanian targets. Al-Rimawi stated that intelligence officials demanded he publish a retraction as a condition of his release.<sup>27</sup> In November 2006 public intellectual and Adnan Abu Odeh was charged with slander of the king following comments on the hardships of the Palestinian minority in Jordan. The charges were dropped following pressure from international press freedom groups.

The government owns substantial shares in Jordan's two leading Arabic daily newspapers and must license all publications. There are high taxes on the media industry and tariffs on paper, and the government has been criticized for advertising primarily in newspapers in which it has ownership. Licenses have been issued for one new radio and one satellite television station, but neither has started broadcasting yet.

#### 4. SUGGESTIONS FOR IMPROVEMENT

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Paramount to Jordan's democratic progress is the undertaking of the political reforms recommended under the National Agenda. The current one person one vote system, put into effect in 1993 after Islamists won a majority in parliament in 1989, weakens opposition parties in favor of traditional tribal ties.<sup>28</sup> Abolishing the current voting system in favor of a proportional or mixed voting system incorporating party lists is vital to strengthen opposition parties. The establishment of an independent and transparent electoral commission would facilitate further democratic reform.

To facilitate movement towards a free and open press, the government should remove itself from the media by liquidating or privatizing its holdings in media firms. Penal code laws that allow prosecution of speech should be revoked, while intimidation and censorship of the media should be punishable. Furthermore, the proposal in the National

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<sup>26</sup> "First Prison sentences for reprinting Prophet cartoons" IFEX, May 31, 2006, <http://www.ifex.org/en/content/view/full/74775>, Accessed August 8, 2006.

<sup>27</sup> "Jordanian Chief Editor Detained for "Publishing false Information" *BBC News*, Accessed through Nexis August 4, 2006.

<sup>28</sup> "Jordan Islamists stir tensions by displaying election skills" *The New York Times*, May 12, 2006. Accessed through Nexis August 6, 2006.

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Agenda to abolish mandatory membership in the Jordan Press Association should be undertaken immediately.

In order to strengthen rule of law, steps should be taken to make the GID accountable to elected officials, not to the monarchy. Jordanian government should also respond to accusations of torture with transparency, and constitutional provisions prohibiting torture and prolonged detention should be enforced. International human rights groups should receive access to prison facilities, particularly those run by the GID. Accusations of torture should be publicly adjudicated in civilian courts of law. Finally, the use of the State Security Court should be ended altogether. In all cases, testimony resulting from torture or intimidation should be expressly outlawed.

### 5. STATISTICS AND INDICATORS

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World Bank Institute Governance Indicators 2005	Jordan Score	Key
Voice and Accountability	27.5	Range 0-100 (Lower value indicates weak voice and accountability; higher value indicates strong voice and account)
Political Stability and Absence of Violence	35.8	Range 0-100 (Lower value indicates weak political stability and high violence; higher value indicates opposite)
Government Effectiveness	57.9	Range 0-100 (Lower value indicates weak govt. effectiveness; higher value indicates strong govt. effectiveness)
Regulatory Quality	57.9	Range 0-100 (Lower value indicates weak regulatory quality; higher value indicates strong regulatory quality)
Rule of Law	62.3	Range 0-100 (Lower value indicates weak rule of law; higher value indicates strong rule of law)
Control of Corruption	65.5	Range 0-100 (Lower value indicates weak control of corruption; higher value indicates strong control of corruption)

Freedom House: Freedom in the World 2007	Jordan Score	Key
Political Rights	5	Range 1-7 (Lower value indicates good system of political rights; higher value indicates bad system political rights)
Civil Liberties	4	Range 1-7 (Lower value indicates good system of political rights; higher value indicates bad system political rights)
Status	PF	3 Categories: F (Free); PF (Partly Free); NF (Not Free) / (*) Indicates electoral system

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Freedom House: Freedom of the Press 2006	Jordan Score	Key
Total Score	61	Range 0-100 (Lower value indicates total free press; higher value indicates less freedom) / 3 Categories: F (Free); PF (Partly Free); NF (Not Free)

Freedom House: Countries at the Crossroads 2006	Jordan Score	Key
Accountability and Public Voice	2.83	Range 0-7 (Lower Score representing weakest and 7 representing strongest performance)
Civil Liberties	3.12	Range 0-7 (Lower Score representing weakest and 7 representing strongest performance)
Rule of Law	3.12	Range 0-7 (Lower Score representing weakest and 7 representing strongest performance)
Anticorruption and Transparency	2.28	Range 0-7 (Lower Score representing weakest and 7 representing strongest performance)

Bertelsmann Transformation Index 2006	Jordan Score	Key
Stateness	6.5	Range 0-10 (Lower value indicates negative democratic development; higher value indicates positive democratic development)
Political Participation	3.8	
Rule of Law	4.3	
Stability of democratic Institutions	2.0	
Political and Social Integration	4.0	
Total Score Political Transformation	4.1	Range 0-10 (Lower value indicates negative democratic development; higher value indicates positive democratic development) / Arrow shows trend in democratic development (↑Improved; ↓Worsened)
Total Score Political Management	4.68	Range 0-10 (Lower value indicates lower quality of political management; higher value indicates higher quality of political management)

Corruption Perceptions Index 2006	Jordan Score	Key
Total Score	5.3	Range 0-10 (lower value indicates high corruption; higher value indicates lower values of corruption)

### 6. SOURCES

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- Amnesty International, *Jordan: Report 2006*, available online at <http://web.amnesty.org/report2006/mar-summary-eng>
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