



Elections without Representation Dissent and Resistance to Reform in Bahrain

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SUMMARY

- A failure to institute reforms has led Bahrain's main opposition groups to boycott upcoming elections, undercutting the legitimacy of a parliament that, in any case, has little power.
- The Bahraini government has unleashed another crackdown on activists, shutting down the space for opposition in the lead up to the election.
- The ongoing repression of peaceful opposition increases the potential for violent groups to exploit widespread disillusionment and take the lead in opposing the government.
- The government's use of sectarian rhetoric to discredit the Shia opposition has also created fertile ground for the growth of Sunni extremism.
- The U.S. should speak out against the imprisonment of peaceful activists, which adds to long-term security risks, and should be flagged in the important bilateral dialogue by defense officials as well as by diplomats.

Bahrain's upcoming elections will do little to change the status quo in the country. The main opposition group recognized in Bahrain, Al Wefaq, is boycotting the elections, along with three other opposition parties, because the government has failed to institute demanded reforms. The groups fear that if they participate in elections before reforms have taken place, they would risk legitimizing the monarchy's repressive behavior while participating in a largely powerless parliament. The elections will therefore be dominated by a mixture of Sunni Islamists and broadly pro-government independents from both Sunni and Shia communities. These groups, who represent the political will of only a minority of Bahrainis, will compete for the 40 elected seats in the lower house of the two-chamber parliament. The winners will include a number of pro-government Shia Bahrainis, such as a cleric, Sheikh Mohsin Al Asfoor, who has variously denounced the 2011 protests, Al Wefaq, and the U.S. State Department's recent religious

freedom report on Bahrain (denouncing its analysis of anti-Shia discrimination as "American interference"). No single grouping is expected to dominate the elected chamber, and most MPs are likely to focus their limited powers on seeking increased public spending for their constituents. Meanwhile, as the government seeks to portray the elections internationally as a sign that Bahrain is a reforming democracy, there are likely to be renewed protests by the opposition, which views the elections as a sham. In this tense context, reports of arrests of activists have been increasing. In October 2014, prominent human rights defenders Nabeel Rajab and Zainab al-Khawaja were arrested for anti-government tweets and for tearing a picture of the King, respectively. Ebtisam Alsaegh and more than a dozen other women have also been targeted and arrested by the regime for organizing an unofficial public referendum campaign on Bahrainis' right to self-determination.

Bahrain's political crisis has continued to escalate since its peaceful protest movement in 2011 was forcibly shut down by the intervention of troops from neighboring Gulf states. Despite government promises of reform and changes at the legal and institutional level, the core issues of dispute remain unresolved: the political system is heavily dominated by the ruling Al Khalifa family, which is Sunni, and there are widespread popular grievances over corruption, inequality, nepotism, and discrimination in the allocation of state jobs and services. Such practices are part of the patronage system that the ruling family uses to distribute oil wealth among its core supporters and as such have been largely immune from reform, despite generating widespread opposition among both Sunni and Shia for decades.

The experience of mass social unrest in 2011 led authorities to sharply increase repression of opposition activity, arresting thousands for involvement in peaceful protests and hundreds for the crime of "insulting the ruler." Police violence, torture, and the continued detention of prisoners of conscience are among the key grievances of the country's opposition. In the past two years, the government has also stripped citizenship from around 40 dissidents for unspecified security reasons. Authorities have also tightened restrictions on local civil society and reduced access to the country for international NGOs and media. The recent decision to deport senior U.S. diplomat Tom Malinowski was an extreme reflection of the Bahraini government's anxieties about human rights officials.

The United States has sought to support dialogue and reform processes, but so far little has been done to address the causes of Bahrain's unrest. Much of the country's Shia majority feels profoundly disenfranchised and alienated from their government. A hardline security approach combined with unaddressed grievances could lead to increased radicalization of dissent in Bahrain. Political violence, typically directed against the police, remains low-level but has been gradually escalating.

THE FAILURE OF DIALOGUE

Official efforts at dialogue have included Al Wefaq and their allies, which are legally recognized political groups that call for a constitutional monarchy, but have excluded other important opposition groups that oppose the monarchy, including Haq and Al-Wafa—many of whose leaders are in prison. Tentative efforts at dialogue between the Crown Prince and the officially recognized political groups from January to August this year failed to produce an agreement, as the expectations of the actors involved were still too far apart and mistrust too pronounced. The Crown Prince hoped that Al Wefaq would agree to end its election boycott on the basis that participation in the next parliament would then allow for a discussion of a series of limited reforms in five areas (including electoral districts, the method of selecting the appointed house, and security sector reforms). The government did make some changes to the electoral districts, but the opposition rejects this redistricting as falling far short of called-for electoral reforms that would allow the balance of power in parliament to be altered. Al Wefaq felt that if it ended its boycott without achieving any meaningful concessions, it would be perceived as legitimizing a toothless parliament, would lose support among its constituents, and would not necessarily end up with any gains to show for it. (This was largely Al Wefaq's experience in parliament from 2006-2011.) The Crown Prince and his allies often portray the parliament as a means to achieving reform, whereas the opposition see it as essentially a powerless institution designed to create only the appearance of reform.

Al Wefaq and their allies now plan to boycott the upcoming election. Without Al Wefaq, which won 64 percent of the popular vote in the 2010 election, the parliament is likely to seem largely irrelevant to much of the population. However, beyond the tactic of the boycott, holding rallies, and lobbying Western governments, the opposition appears to lack a clear strategy pursuing political change. Al Wefaq also remains under pressure from the authorities, as its leaders are arrested and interrogated from time to time, and the Ministry of Justice has reserved the right to suspend its activities on the

basis of a recent court decision. (The Ministry backtracked on an initial announcement that the group would be suspended, a delay likely the result of international pressure.) There is a high likelihood that Al Wefaq will continue to gradually lose ground to more revolutionary opposition groups, and there is a risk that these groups, which are somewhat fragmented, will be increasingly tempted to use violence or to seek support from potential allies in Iran, Iraq, or Lebanon to counter the strong support the ruling family has from the Gulf and the West.

Recent dialogue efforts appear to have focused heavily on the powers of the parliament and the mechanisms for electing and appointing its members. While democratic procedures are important, these may reflect the priorities of politicians more than the immediate demands of their constituents, for whom much of this detail may appear somewhat academic compared with everyday concerns about interactions with the security forces or economic prospects.

STALLED HUMAN RIGHTS REFORMS

The November 2011 report of the Bahrain Independent Commission of Inquiry (BICI) documented extensive abuses in Bahrain's judicial and detention systems and made detailed recommendations for legal and institutional reforms and processes of accountability to address these human rights issues. Some of these reforms have been implemented to an extent, including the establishment of an ombudsman's office to investigate complaints against the interior ministry, a prison inspections commission, new codes of conduct for the security forces, CCTV in police stations, and human rights training for officials.

But little has changed at the political level. The officials who oversaw the systematic sectarian abuses of 2011 are almost all still in place, which raises questions about the seriousness of their will to implement real institutional reform. Only a handful of junior police have been punished for what the BICI described as systematic torture that "could not have happened without the knowledge of higher echelons of the command structure" of the security forces. Meanwhile, allegations of torture continue to emerge,

and one (non-political) detainee died under torture in November. Intrusive surveillance and hacking of activists, both in Bahrain and in the West, continues. Civil society is hamstrung by restrictions on its activities and by the tight limits on freedom of speech, which enable the government to imprison opposition figures simply on the basis of comments on Twitter.

POLITICAL RESISTANCE TO REFORM

There have been different views within Bahrain's royal family over how to best manage social and political pressures for change. Generally, the Crown Prince has favored economic and (to some extent) political liberalization, while the prime minister, Sheikh Khalifa bin Salman Al Khalifa, and the branch of the family commonly known as "the Khawalid" have tended to be more authoritarian (with the prime minister's support base being particularly strong among the business community, while the Khawalid are more rooted in the defense establishment). The divisions within the royal family have become fairly public in recent years, but have not been sufficient to produce some form of "negotiated transition" where reformists in the ruling family could work with opposition moderates on a shared agenda for political change. The reformists have been on the back foot for most of the time since 2011 as the ruling family's sense of threat has encouraged the empowerment of more hardline security-focused members of the royal family, as has the sense in the UAE and Saudi Arabia that the Crown Prince was misguided in his March 2011 dialogue with the opposition. However, the divisions between "reformists" and "hardliners" may sometimes be exaggerated so reformists can placate local and international opinion while justifying failures to deliver on promised reforms. The complexity of the internal dynamics in the royal family means that the United States should press all actors to more effectively pursue reforms of the political system, rather than relying on attempts to strengthen one faction of the royal family over another—such efforts have rarely been sufficient to bring about meaningful reform.

Potential for reform in Bahrain is also constrained by the direct interest of the other Gulf monarchies, especially Saudi Arabia.

Bahraini officials often say they cannot move ahead too rapidly with reforms in case it upsets their neighbors; Saudi Arabia has no interest in seeing a successful model for democracy in the Gulf. This is even more the case since Bahrain has a Shia-majority population and Saudi Arabia fears that a Shia-led government would be closer to Tehran than to Riyadh. Such fears may, however, be overblown. There have been reports of indirect contacts between Al Wefaq and senior Saudi officials since 2011, and Bahraini authorities may be using supposed Saudi opposition as an excuse for postponing reforms. And with a new generation beginning to emerge in positions of power in Saudi Arabia, especially in the Interior Ministry (which takes a direct interest in Bahrain given its close physical and social connections to Saudi Arabia's Shia-majority Eastern Province), there may be room for a more pragmatic and flexible approach to Bahrain. Saudi Arabia has been able to accept the emergence of some quasi-democratic institutions in neighboring Kuwait, and if the United States persists in raising the Bahrain issue in bilateral contacts with Saudi officials, it may be able to persuade Saudi Arabia to refrain from obstructing Bahrain's reform process.

Despite the factors militating against reform, there is a key argument for it: the social and political pressures for change are not ebbing, and the experience of the past four years in the region demonstrates that when moderate reformists are marginalized and peaceful protests repressed, the revolutionary component of the opposition—and hardline elements within the government—will be strengthened.

UNITED STATES-BAHRAINI RELATIONS

Since 2011 the United States has made some high-profile criticisms of the human rights abuses carried out by its allies in Bahrain—including direct criticism by the President. Nonetheless, the United States has also pressed ahead with the expansion of the Fifth Fleet's base in Bahrain, spending \$580 million to nearly double the size of the naval base, and reaffirming its strategic commitment to the country. Meanwhile, around 90 percent of the

Bahraini army's equipment comes from the United States, though some arms sales have been on hold since late 2011 over human rights concerns. Senior U.S. officials continue to attend high-level summits in Bahrain, most recently on counterterrorism financing.

These actions reinforce the perception in Bahrain and the region that U.S. rhetoric on democracy and human rights is not followed through with action. Al Wefaq continues to lobby the United States to press for more reforms in Bahrain, but there is growing cynicism among the opposition as to whether the United States meaningfully supports the principles of human rights and democracy.

Bahraini authorities have criticized the United States for “meddling” through its criticism of abuses and its maintenance of contacts with opposition groups. In July this year, Bahrain expelled Assistant Secretary of State Tom Malinowski, accusing him of meddling by meeting with opposition groups. In August, the Bahraini government denied Congressman Jim McGovern access to the country. The outgoing U.S. ambassador, Thomas Krajeski, has been heavily criticized by media outlets and MPs that are close to the royal court and a human rights officer at the embassy, Ludovic Hood, left his post early after repeated online threats from Sunni Islamist supporters of the government. These highly unorthodox breaches of diplomatic protocol have been met with no serious response from the U.S. administration.

Despite longstanding U.S. military support for the Bahraini government, some members of the ruling family, including the head of the army, have asserted that the United States is conspiring with Iran to target Bahrain. This conspiracy theory has been repeatedly aired and heightened in the government-controlled media. In June 2014, Dr. Shaikh Khalid Al Khalifa, chairman of the Foreign Affairs, Defense, and National Security Committee of Bahrain's appointed Shura Council, tweeted that “the excuse for the American Iranian cooperation to attack Arabs is terrorism.” While blaming the United States may help deflect

attention from some of the country's domestic problems, fomenting such conspiracy theories fuels anti-U.S. sentiment among the population, an extremely short-sighted and risky strategy in a country that hosts a major U.S. naval base.

American diplomatic and military leaders are sending the ruling establishment mixed messages about the importance the United States places on ensuring a more stable and less polarized future for Bahrain. A more productive strategy would be to pursue a new bargain between the state and its citizens as a core part of the bilateral dialogue between Bahrain and the United States, including at the upcoming Manama Dialogue, a high-level gathering of regional and Western security and defense officials.

William Roebuck has now been confirmed as the new U.S. Ambassador to Bahrain, and the arrival of new diplomatic representation on the island presents the United States with an opportunity to reorient its relationship with Bahrain. It is crucial that the United States government ensures that he has robust support from Washington in his mission to fully promote human rights and political dialogue in the country.

POLICY RECOMMENDATIONS

1. **Promoting urgent political reform in Bahrain should be part of the U.S. government's strategy to confront the growth of sectarian extremism in the wider Middle East.** The repression of moderate opposition is leaving the country vulnerable to the growth of more radical and potentially violent opposition movements. Moreover, the Bahraini government's sectarian attacks on the opposition and escalating anti-U.S. rhetoric in the state media is fostering radicalization among the country's Sunni population. The issue of ensuring sustainable domestic political stability, through forging a new bargain between the state and its citizens, should be placed at the heart of the military-to-military dialogue. Defense and security contacts play a strategic and influential role in the bilateral relationship. Currently the
2. **In accordance with the presidential memorandum on civil society, U.S. officials should foster strong relationships with Bahrain's civil society activists.** This September, President Obama directed all U.S. government agencies engaged abroad to support and to work with civil society organizations even in countries where their freedom to operate is restricted. U.S. officials—including officials from the Department of Defense—who visit Bahrain for talks with the government should also meet with Bahrain's civil society leaders. The plight of peaceful civil society activists should be consistently raised in meetings with the most senior levels of the Bahraini government, including calls for their release and an end to harassment.
3. **The United States should give a comprehensive and honest public assessment of Bahrain's elections.** There is a temptation for the United States to praise elections that occur without major incidents of fraud or violence. Increasingly, however, governments are controlling election results through pre-election strategies to control debates, limit the participation of controversial candidates, and gerrymander constituencies, as well as through longer-term structural impediments to the power of elected bodies. In Bahrain, the powers of the elected body are extremely limited and do not represent a significant check on executive authority (though the body can

United States is at risk of sending mixed messages by expanding its naval base despite the ongoing political and human rights problems that its diplomats regularly flag. These political problems are central to the security situation and should be a primary concern for the U.S. Department of Defense, not only the State Department. The current situation is likely to lead to rising anti-U.S. sentiment, both among the opposition, who see the United States as complicit in repression, and among elements of the government's support base who are being told the United States is conspiring with Iran against them.

influence legislation and budgets). Many opposition and civil society leaders remain in prison. Electoral districts have traditionally been rigged to grossly underrepresent the opposition, and while the new electoral districts are somewhat less extreme in this regard, the body still lacks credibility with a large part of the population. Bahrain's electoral process will represent the views of existing government supporters but is likely to exacerbate the long running dispute between the government and opposition.

4. **The United States should ensure it strongly supports its new ambassador to Bahrain and offer a serious response to any attacks on his credibility by Bahraini government officials.** The United States response to government attacks on the

credibility of its diplomatic representatives in Bahrain has been exceptionally muted, and it could take the opportunity of a new ambassadorial appointment to reassert expectations in this diplomatic relationship. In his nomination hearing for the post, Ambassador Roebuck pledged to “make a strong case both publicly and privately for why political dialogue, reform, and promoting and protecting human rights are in Bahrain’s long-term interest.” This will inevitably result in pushback from the Bahraini authorities, including conspiracy-mongering, which the United States should be prepared to strongly rebut. The U.S. policy on Bahrain will be more effective if military and diplomatic behavior—ultimately much more important than rhetoric—sends a unified message.



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