



Tomatoes, tribes, bananas, and businessmen: An analysis of the shadow state and of the politics of water in Jordan



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ABSTRACT

This article shed light on the shadow state, investigating who belongs to it, their interests, and their relation to the water sector. This is important because Jordan is known to be among the most water scarce countries in the world and some water professionals see in the shadow state an obstacle to implementing successful water policies, resulting to be one of the main reasons behind inefficiencies in the water sector in the country. Furthermore, an in-depth investigation of the relation between the shadow state and the water sector is needed. This article makes a contribution by analysing the current challenges posed by the shadow state to efficient operations of the water institutions as well as wider government, and the difficulties they encounter in responding with reforms in Jordan. This analysis will serve policy makers and water professionals to better understand how to navigate the complex Jordanian water sector. This is particularly important nowadays in order to ensure socio-economic and political stability of Jordan in the aftermath of the so-called “Arab Spring”.

1. Introduction

Jordan is among the most water scarce countries in the world. However, the literature on water resources conducted by Jordanian academics has taken mainly an engineering and geological approach rather than political and social sciences ones. This article investigates the challenges in implementation of water policies in Jordan, focusing on the role of the shadow state in the politics of water in the country, and more specifically in the cases of illegal wells and illegal uses, and in the unsustainable agricultural water uses, which helps at better understanding the politics of water in the country. In fact, amongst government ministers, officials, political scientists, non-governmental organizations (NGOs), donors, academics, and journalists there is virtual unanimity dating back to the 1990s in seeing in the shadow state an obstacle to implementing successful water policies (Yorke, 2013, 2016), resulting to be one of the main reasons behind inefficiencies in the water sector in the country. Nevertheless, there has only been some initial research by Yorke (2013, 2016), Greenwood (2014), and Hussein (2016) on the topic. While this article focuses on Jordan, its findings can be helpful also to water professionals, scholars, and policy makers in other countries that are facing similar challenges; for instance, Lebanon is also considered a water scarce country, and illegal wells and unsustainable agricultural water uses are linked to power dynamics and

to the Lebanese shadow state, reflecting to some extent the Jordanian situation discusses in this article.

This analysis will serve policy makers and water professionals to better understand how to navigate the complex Jordanian water sector. The data deployed in this article comes primarily from reports, semi-structured interviews, and documentation collected during fieldwork in Jordan between July 2011 and December 2014, as well as secondary literature and material published online. This article first unpacks the Jordanian shadow state; second, it investigates the role of the shadow states in two case studies: illegal wells and uses, and in the unsustainable agricultural water use.

A central concept of this article is the shadow state; within a shadow state, authority belongs to an individual or group of individuals; it is a neo-patrimonial regime that can also have a façade of laws, procedures, and governmental institutions. The official ruler maintains the support of key actors, who are linked to him through tribal or regional affiliation, and through privileged access to economic assets.

Concerning the water resources of Jordan, according to the 2014 water budget of the Ministry of Water and Irrigation (MWI), the total water resources in Jordan in 2013 were 864 Million Cubic Meters (MCM) per year (MWI, 2014: 20). Also the total safe yield of the groundwater basins in Jordan is estimated at about 300 MCM per year, while the total surface water resources from the Yarmouk, Jordan, and

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Zarqa Rivers in Jordan is 563 MCM per year, including treated wastewater. However, in 2010 groundwater represented the main source of water supply, with a total of approximately 54% of the total water supply, meaning over 500 MCM; surface water supply represented only 33%, meaning 286 MCM; while treated wastewater accounts for about 13% of the total water supply, meaning 117 MCM. While surface water represents a higher proportion of water resources, at around two thirds of the total water resources in Jordan, in practice two of the three major rivers, the Jordan and Yarmouk, are transboundary, and therefore Jordan is bound in their usage by bilateral agreements. Therefore, groundwater resources are the most important sources of water supply, and these are currently over-exploited (*ibid.*). Concerning water uses per sector, in 2015 agriculture used 51%, domestic uses represented 45%, and the industrial sector 4%. Finally, non-revenue water, which includes both illegal connections and uses, such as wells, as well as leakages and loss due to network system, is estimated by 52% for 2015 (*MWI, 2015*).¹

2. What is a shadow state? unpacking the Jordanian shadow actors

Since the establishment of the kingdom in 1946, Jordanian politics has evolved and thus also the shape of informal structures, now in some publications called shadow state. The literature on informal structures has matured to reflect changes in their form as they occurred. These structures in one form or another date back to Jordan's creation. For more than four decades, academics that have traced their workings and have analysed their evolving heterogeneity. As the nature of patronage changed to reflect the evolving political compact between Throne and people, so Jordanian subjects from different walks have enjoyed access to benefits and privileges, which they subsequently wished to protect. Heterogeneity expanded and altered over time. Hence, the shadow state is directly related to the historical evolution of the organisation of power on which the Hashemite rule is based. Key dates in the changing shape of the shadow state and its participants benefitting from state largesse and or aggrandisement in influence are – 1950s, 1970s, late 1980s, and 2011. The political-economic context at these times helps understanding initiatives by the monarchy and how the benefits and privileges were extended and to whom, and with what results. In a nutshell, today's shadow state in Jordan has individual actors, ever coalescing in a range of different temporary groups around a variety of issues depending on specific vested interests (*Tripp, 2002: 4–5, Springborg, 2007: 3–4; Yorke, 2013, 2016; Keulertz, 2013; Hussein, 2016*).

Within a shadow state, authority belongs to an individual or group of individuals; it is a neo-patrimonial regime that can also have a façade of laws, procedures, and governmental institutions. The official ruler maintains the support of key actors, who are linked to him through tribal or regional affiliation, and through privileged access to economic assets. For Glass, “the great majority of the Levant's people still look to traditional community and sectarian leaders for protection, favours, money and jobs. Loyalty to family, village, tribe and sect has always been stronger than ideology. Ideology comes and goes out of fashion. Loyalty does not” (*Glass, 1990: 3–4*). Being linked to the ruler, these actors become very influential in the shaping of national water policies, often more than the official institutions (*Keulertz, 2013: 265–267, Yorke, 2013: 58–60, Tomaira, 2008: 213, Greenwood, 2014: 153, Zeitoun et al., 2012: 59*).

¹ Moreover, increasing droughts are negatively impacting the water sector in Jordan, as confirmed by recent studies (*Mohammad et al., 2018*). Recent research showed that the Jordanian government has been exploring several solutions to increase the water supply in the country in the past decades. This has included building new dams, the Disi Canal project completed in 2013, supporting the construction of the Red Sea – Dead Sea Canal, and increasing transboundary cooperation efforts (*Hussein, 2017a, b, c, 2018, Hussein and Grandi et al., 2015, Hussein and Grandi, 2017*).

In Jordan there are official divisions of power between three branches, and a rational institutional legal system. However, *Yorke (2013)* noted that in practice the power resides in the king, who enjoys broad powers over the Parliament and the government - and in the shadow state (*Yorke, 2013: 58–59, Oudat and Alshboul, 2010: 65*). The individuals of the shadow state, in practice, have privileged access to resources and are influential in shaping policies and in resisting change. They support the official ruler and they participate in maintaining the status quo and their privileged position. Nevertheless, today Jordan is having difficulty in following through on integrated planning and water policy in the national interest on account of the entrenched position of anti-reformists with vested interests in the status quo. This emerged in relation to the fate of the 2005 National Agenda. Preferred policies of the monarchy and those of some shadow state members are not the same (*Muasher, 2011; Yorke, 1988, 1990, 2013; Greenwood, 2003*).

As mentioned above, the shadow actors are not fixed over time, they are not static, but subject to change over time. This emerges in the history of Jordan looking at some social groups, which passed from being initially completely marginalised to becoming fully part of Jordanian society. For instance, the case of Jordanian Bedouins, whose more influential members are influential shadow actors since the 1980s, while Jordanian Bedouins became legally full citizens and not discriminated by law only in 1976 (*Massad, 2001: 52*).

The shadow actors used to be identified with the East Banker tribes – tribes with origins from today's Jordan -, seeing them in a dualistic way opposed to Jordanians of Palestinian origins. For *Hübschen (2011)*, Jordanian tribes are those who really rule the kingdom, comprising the shadow actors and political elite of the country, versus the Jordanian of Palestinian origins, seen as discriminated and marginalised within the social and political society (*Hübschen, 2011: 118–123*). For Gao (in *Sindic et al., 2014: 50–65*), power relies in the tribes for historical reasons, and this emerges in the electoral system, in the *wasta* (personal networks) system, and in civil rights privileges granted to East Bankers. According to Gao (*ibid.*), civil rights privileges include the process for obtaining the Jordanian citizenship for children of parents with one Jordanian parent and one non-Jordanian parent. For *Oudat and Alshboul*, informal tribal networks substitute in practice the formal institutions and authority (*Oudat and Alshboul, 2010: 90*). Other scholars used to describe the tribes as the backbone of the monarchy and loyal to the kingdom since its establishment (*Alon, 2005: 213*), and benefiting from and comprising the *wasta* system and the shadow actors (*Loewe et al., 2008: 29–30, Al-Ramahi, 2008: 38–40, Wilson, 1990: 57*). As noted by *Alon (2007)*, since Black September², media and scholars seem to have preferred an oversimplification of Jordanian society, where Bedouins and tribes are described as the backbone of the Hashemite monarchy, and Palestinians as the marginalised and disloyal category (*Alon, 2007: 1*). However, this article builds on *Yorke (1988, 1990, 2013, 2016), Greenwood (2003), Muasher (2011)* in arguing that not all tribes supported the Hashemites at the establishment of the Emirate in early 1920s, not all tribes have equal weight and influence, and not all members of the tribes are shadow actors. Therefore, this article shows how Jordan's classical tribes are not a monolith and differ in influence.

In fact, in Jordan there are several examples of Qabilas, or confederation of tribes: Bani Hamida and Howeitat in the South, Bani Sakher and Al Odwan in the middle, and Bani Hasan and Bani Khalid in the north. Within each *Qabila*, there are the *Ashaer*, which are usually known as tribes. Interviews showed that within a tribe, only those economically or politically important are influential and can resist change and shape policies, and are to be seen as shadow actors. Instead, those who even if members of an important family are marginalised and

² Black September refers to the Jordanian Civil War, which started in September 1970 and ended in the summer 1971. The war was fought between Jordanians and the Palestine Liberation Organisation of Arafat, which aimed at taking the power in Jordan

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