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Civil Society as Social Control

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Quintan Wiktorowicz

Following the "waves" of democratization in Europe and Latin America, political scientists fervidly renewed their search for the requisite conditions of expanded political participation. Rather than focus on the possible link between economic and political development, as outlined in different versions of modernization theory and developmentalism, recent studies have instead highlighted the role of civil society in promoting political participation. Although plagued by definitional ambiguity, civil society is generally seen as the constellation of associational forms that occupy the terrain between individuals and the state. It is viewed as a mechanism of collective empowerment that enhances the ability of citizens to protect their interests and rights from arbitrary or capricious state power. The expansion of civil society is credited with numerous transitions to democracy and is frequently offered as a proscriptive remedy to despotic or authoritarian rule.

The Middle East has recently joined the multitude of empirical testing grounds for the concept of civil society. Scholars, policymakers, and indigenous researchers alike hope that the growth of civil society in the region will promote democratic reform. Although experiments in political liberalization are still limited, there is guarded optimism about the prospects for change. This optimism is encouraged by the United States, which now channels substantial resources to grass-roots organizations in the Middle East with the intention of promoting democracy.[1] The recent empirical growth of civil society in the region seems to add further credence to the potential for democratic change.

This article presents a less sanguine view of civil society in the Middle East. Many regimes in the region initiated political liberalization to enhance legitimacy in a context of prolonged economic crisis. Rather than risk uncontrollable popular protest and collective action that could destabilize the political system, regimes such as those in Egypt, Morocco, Algeria (before 1992), and Jordan instead offered new, though oftentimes limited, opportunities for the creation of civil society organizations. Once created, these organizations were embedded in a web of bureaucratic practices and legal codes which allows those in power to monitor and regulate collective activities. This web reduces the possibility of a challenge to the state from civil society by rendering much of collective action visible to the administrative apparatus. Under such circumstances, civil society institutions are more an instrument of state social control than a mechanism of collective empowerment.[2]

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The Hashemite Kingdom of Jordan is a good example of the social control dimensions of civil society in the Middle East. First, it closely follows the pattern of civil society development in Middle East countries that have experienced political liberalization, whereby regime-initiated reforms lead to the growth of carefully regulated civil society organizations. Second, as one of the most democratic countries in the region Jordan represents a more advanced manifestation of the political tendencies now emerging in the Middle East. The administrative control and regulation of civil society in Jordan reflect a growing trend away from overt repression toward less visible forms of social control in the region.

This system of social control is not hegemonic or complete. There is a continuous ebb and flow in the level of control actually achieved by the state. Various nongovernmental organizations, including journalists' associations, women's organizations, and cultural societies, have continued to contest state control over civil society in Jordan. In addition, professional associations remain politicized, much to the chagrin of the regime. But this system is pervasive and affects a substantial number of civil society organizations. By challenging the assumption of civil society as social empowerment, this study hopes not only to elucidate the limits of civic organization in the Middle East, but also to contribute to broader debates about civil society.

Civil Society: Collective Empowerment?

Comparative politics has delved into the task of unlocking the democracy conundrum, hoping to find the requisite conditions for enhanced political participation. In that search, scholars point to the importance of civil society in expanding the scope of political freedom, checking state power, and engendering good public policy. Although there are disagreements over the definition of civil society, its existence in particular contexts, and its utility as a paradigm or research agenda, most versions of the civil society approach view associationalism as a mechanism of collective empowerment.[3] Through the "art of association" individuals collectivize their otherwise individual grievances, learn norms of democratic interaction, and create institutions capable of resisting authoritarian power.

As Bob Edwards and Michael Foley note, the different civil society approaches all use the concept to "juxtapose a sphere of voluntary, purposive association to the forces of chaos, oppression, or atomization of the time."[4] It is seen as an autonomous social space that can engender collective action, protect individual liberty, and promote good governance outside formal political structures. It has been used as a proscriptive device by such diverse perspectives as the neo-Tocquevillean, neo-Gramscian, classic liberal, new pluralist, and conservative.[5] These approaches suggest that civil society can be used to empower individuals and social groups vis-à-vis public policy, authoritarian rulers, and the welfare state.

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The view of civil society as empowerment is most readily apparent in studies of democratization and resistance to repression. In Latin America Guillermo O'Donnell and Philippe Schmitter initiated a research program that highlights the role of civil society in promoting democracy.[6] Professional associations, churches, human rights organizations, intellectual societies, and a host of other social institutions generated counterhegemonic projects and criticism of authoritarian regimes in Latin America. These institutions ignited social consciousness about the prospects for political change and inspired the mobilization of social resources to combat repression. The coalescence of these groups in "popular surges" helped push for democratization.[7] The persistence of protest in the face of harsh repression in such countries as Pinochet's Chile attests to the remarkable mobilizing potential of civil society, even in the most dire circumstances.[8]

Students of politics in eastern Europe adopted a similar perspective in the 1980s. Adam Michnik and others conceptualized civil society as collective opposition to the state. Dissidents, particularly those in the Polish Solidarity movement, proposed a gradual process of reform initiated by civil society, often referred to as "new evolutionism" or as neo-Gramscian.[9] The aim of the dissident movement was not to overthrow the regime, but rather to affect society by constructing an autonomous sphere of social interaction where parallel structures and institutions could be created to serve the needs and interests of ordinary people.[10] As society regained its independence, the totalitarian state weakened. The lessons of both eastern Europe and Latin America have since been applied to other regions, particularly Africa, where it is often portrayed as central to the struggle for democracy.[11]

This perspective of civil society as empowerment has slowly affected Middle East studies and informs a new optimism about the prospects for political change. In a region characterized more by dictators and authoritarian regimes than by pluralist democrats, civil society is seen as a possible remedy for the stagnation of limited political participation. Middle East specialists emphasize the possible, though still limited, role of civil society in the mobilization of opposition, dissent, and alternative voices.[12] Where political participation is constrained, civil society organizations are viewed as mechanisms of social empowerment for groups excluded from the formal political arena, and there is some evidence to support such optimism. Professional associations have become increasingly vocal and involved in political issues and public policy debates.[13] Nongovernmental organizations have proliferated throughout the Arab world and are important instruments of political participation and socioeconomic development.[14] And research institutes, such as the Ibn Khaldoun Center in Cairo, have formed to study and promote the expansion of civil society in the hope that it will enhance political freedoms and democracy.[15] Most Middle East specialists see these dimensions of civil society as a hopeful sign, even if this optimism is cautious.

But, as Max Weber sagaciously observed, "the quantitative spread of organiza-

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tional life does not always go hand in hand with its qualitative significance."[16] The expansion of civil society does not lead ineluctably to the realization of greater democracy. In fact, several studies indicate that the growth of civil society can actually threaten political freedom. Sheri Berman's study of the rise of the Nazi Party in Germany demonstrates the destructive potential of civil society. During periods of strain, when political institutions were weak and unresponsive, Germans turned to civil society associations, which grew in strength and number. Nazi activists eventually penetrated and utilized the networks of associational life to create a mass-based political movement that undermined German democracy.[17] Likewise, Keith Whittington's essay on nineteenth century America shows that the social capital of civil society in some instances may not facilitate a strong democracy. Voluntary associations during this period tended to be sectarian and exclusive, thereby creating serious divisions within society. Without strong political institutions, the state was unable to mediate conflicting claims and conceptions about the public good which emanated from civil society.[18] Whittington concludes that "civil society may be as much a threat to democratic institutions as a support."[19] Other scholars have noted that civil society can be used by nondemocratic forces and movements to undermine democratic practices and the state, an observation that is echoed by some scholars in the Middle East who fear that nondemocratic Islamic movements may utilize civil society to launch a theocratic project.[20]

Rather than assume that civil society enables democracy or serves as a mechanism of empowerment, it is important to understand the political context that shapes and limits its potential as an engine of political change.[21] In particular, the impact of the state on civil society can have a powerful and often limiting effect on associationalism. An obvious example is the disempowering effects of harsh repression.[22] Other state practices, such as patterns of state building and development, can also have debilitating consequences for civil society and democracy. It is therefore important to include the state and other political variables when determining whether civil society empowers collectivities or promotes political participation.

The political context is particularly relevant when evaluating the possible political ramifications of civil society in the Middle East since it differs from the East European and Latin American models. In these two instances, civil society grew from below to challenge dictators and military juntas. It was an organic grass-roots process in which actors from civil society challenged the state and incumbent regimes. Social movements and civic associations mobilized massive protest demonstrations, launched opposition to political repression, and eventually succeeded in promoting greater political freedom.

In contrast, political change in the Middle East, mostly in the form of moderate liberalization measures, was initiated by regimes without any significant mobilization or pressure from civil society. As the next section explains, political liberalization was (and still is) part of a regime survival strategy in the face of deteriorating

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economic conditions. The growth of civil society did not precede or lead to political change; it followed regime-sponsored reforms. Political elites in Middle East countries that are expanding political participation, including those in Jordan, have therefore sculpted and managed the process of liberalization to maximize their continued social control. To understand the potential role of civil society, it is thus essential first to examine the political context that structures its development.

Political Liberalization and Regime Survival

Most explanations of democratic reform in the Middle East link the process of political change to economic crisis.[23] In countries such as Egypt, Morocco, Algeria, Saudi Arabia, and Jordan, regime legitimacy was eroded by high levels of debt and inflation during the 1980s and 1990s. The ensuing economic crisis reduced the ability of states to provide basic goods and services to society and undermined what had become an accepted "political right to economic security."[24] In many instances economic crisis forced regimes to reduce subsidies on basic commodities such as bread, sugar, and fuel, prompting widespread rioting that threatened political stability. To placate groups affected by the economic crisis and concomitant reform policies, new political liberalization measures, ranging from consultative assemblies (with little real power) to relatively free and fair elections, were enacted.

In Jordan political instability resulting from economic reforms forced the regime to rethink its legitimation strategy. In 1989 riots broke out after the government removed subsidies on fuel prices. While the riots themselves were not a protest for greater political participation, the regime decided to initiate political liberalization measures to assuage the situation. Malik Mufi's interviews with decision makers responsible for the process of political liberalization in Jordan show that incumbent elites "calculated that some liberalization measure would serve as a useful safety valve once the inevitable austerity measures began to bite."[25] A decision was therefore made to hold elections and implement political liberalization reforms.

The reforms had a substantial effect. Martial law was lifted, parliamentary elections were held, and political parties were legalized. Liberalization measures created new opportunities for associationalism, and civil society organizations proliferated rapidly. Though professional associations and charitable organizations existed before the transition, the number of nongovernmental organizations in the kingdom expanded substantially after 1989. From 1989 to 1994 the number of indigenous nongovernmental organizations expanded by 67 percent (from 477 to 796), compared to growth from 1985 to 1989 of 24 percent (from 391 to 477). The rate of growth for cultural societies, which were severely restricted under the martial law regime, was 271 percent during the same postdemocratization period (the number of cultural organizations grew rapidly from only forty-two to 156).[26]

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   Understanding of this growth and the role of civil society must be informed by the logic of the transition. The process of political change was driven by the regime's need to reassert control and foster stability. It viewed political liberalization as the best possible alternative. This "defensive democratization" was not a benevolent gesture or the result of grass-roots pressure; it was a regime survival strategy in the face of economic crisis and political instability. It is in this context that one must explain the expansion of civil society institutions and evaluate whether they are mechanisms of collective empowerment.

Discipline and Social Control

The advent of political liberalization in many countries of the Middle East does not inevitably entail a decline in social control. Instead, it signals a shift in the balance of social control mechanisms away from the use of force toward alternative measures. Political power can rest upon a variety of different sources, and the precise mixture of control tactics is an important component of the political context.

   Since the advent of political liberalization measures in the Middle East, regimes have increasingly relied upon the disciplinary technologies and tactics of the modern state, rather than raw coercion. As Michel Foucault argues, disciplinary power derives not from the use of visible coercion and commands, but from the partition of space into surveillable units that can be regulated and administered.[27] Discipline orders individuals in spatial settings to maximize the ability of the state or those in power to maintain constant observation. By dictating when and where individuals are present and even their relations with one another, the state enhances its social control.

   A key element of disciplinary power is the creation of order and predictability, which enables the state to institute technologies of surveillance. Disorder and chaos are difficult to monitor and regulate efficiently because surveillance is impeded. Ordered spatial arrangements, in contrast, permit modern instruments to observe, measure, count, and control the objects of surveillance. This surveillance, in turn, creates a system of objectification, classification, and management that enhances state power.

   States in the Middle East wield disciplinary power through the use of the administrative apparatus and regulation.[28] Discipline requires that the objects of surveillance are constantly visible and subject to technologies of control, and states have developed a series of administrative techniques to observe, register, record, and monitor associationalism. This system produces documentation, a written record, files, notations, and data, all designed to record the minutia of detail in collective action. The state has created the means for "domestic colonization," reflecting its "desire for the elimination of unsurveillable, uncontrollable space."[29] As in the old colonial systems, the bureaucracy is

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used to penetrate society and enhance social control. In this manner, public administration can be used as an instrument of state power vis-à-vis civil society.[30]

In Jordan all forms of group work and collective action must be registered at a ministry which is charged with reporting, inspecting, observing, and counting collective activities within its administrative purview. Group work is ordered, categorized, and regulated by functionally differentiated government agencies and branches to produce efficient control through a division of labor. The ministry of interior regulates political parties, unions, and professional associations; the ministry of culture regulates all voluntary cultural organizations; and the ministry of social development regulates all charitable organizations. Each government ministry controls all activities within its respective area of responsibility, and organizations are not permitted to engage in activities that cross into the purview of multiple ministries. Civil society is thus partitioned and segmented into administrative units based upon the logic of administrative efficiency. While this use of the administrative apparatus in Jordan is not new (some of the legal codes date to the 1950s and 1960s), it has become more central in the system of social control since political liberalization. The regime now emphasizes entrenched bureaucratic mechanisms over more overt repression. Although this system of control is not hegemonic, as noted earlier, it is pervasive.

The Demands of Visibility

> Disciplinary power...imposes on those whom it subjects a principle of compulsory visibility. In discipline, it is the subjects who have to be seen. Their visibility assures the hold of power that is exercised over them. It is the fact of being constantly seen, of being always to be seen, that maintains the disciplined individual in his subjection.[31]

In order to subject group work to bureaucratic control, the Jordanian state must first ensure that collective activities are performed within surveillable, state-delineated space that is subject to administrative regulation and can be monitored effectively. Social groups that operate in the shadows of society outside the panopticon gaze of the bureaucracy are unpredictable and thus potentially threatening to state power. The most serious challenge to a system of control based upon predictability and visibility is group work that does not conform to the logic of the system and instead remains outside state surveillance. The state attempts to limit the possibility of collective action in the niches of society by requiring that all group work is performed in the open through civil society organizations that are within the reach of administrative practices. Both administrative and repressive techniques are used to channel collective activities into a social space controlled by the state and susceptible to the disciplinary technologies of the bureaucracy. Activism outside this state-delineated space, which is potentially disruptive and uncontrollable, is limited and repressed.

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The starting point for this system of control is the Law of Public Meetings (Law 60 of 1953), a regulative holdover from martial law. This law is intended to prevent informal gatherings and collective action, particularly when such activities are political in nature. It stipulates that individuals must obtain permission to hold public meetings, defined as "any meeting called to discuss political affairs."[32] In practice, it prohibits any group activities, outside formal organizations, that are unregistered and therefore not regulated by the bureaucracy.[33] All such social interactions are considered illegal and are subject to repressive measures.

The ambiguity of the term "political affairs" provides the state with broad discretion and latitude. In Jordan politics is the topic of conversation in a variety of settings, including coffee shops, taxis, and private homes. Even at seemingly apolitical activities conversation invariably wanders to political subjects such as the peace process, government policies, public corruption, and human rights. In effect, any social gathering constitutes an opportunity to "talk politics"; depending on how state officials interpret such interactions, any number of meetings could be deemed "political." Islamists, in particular, routinely complain that they are detained and questioned by the *mukhabarat* for allegedly holding public meetings.[34] In reality, these meetings are typically religiously oriented, but they inevitably open political issues such as Jerusalem, peace with Israel, and ways to make the current system more Islamic.

The requirements for public meetings or gatherings are stringent and explicit. The authorities must be notified at least forty-eight hours in advance, though in practice much greater notice is often required.[35] This notification must be signed by at least fifty "well-known individuals" and include information such as the location and objectives of the meeting. "Well-known individuals" usually means personalities who are not objectionable to the regime, even if they are in the opposition. For many such meetings, it is almost impossible to gather fifty public personalities for the notification, especially since some meetings include as few as ten individuals. The notification must be submitted to the governor of the district for permission,[36] and the district manager or a delegated administrator attends the meeting.[37] The governor has broad powers to disperse any permitted gathering, with violence if deemed necessary. Article six of the Law of Public Meetings states that, "in case there is an incident of security disorder or issues discussed were not in the original intent of the meeting, the area leader [governor] can call for the cancellation of the meeting, using force if necessary and the people causing the disorder can be indicted and sentenced." The law continues to state that any individual who organizes a meeting without prior consent is liable and subject to jail.[38] Any meeting held illegally is subject to force.[39] The law is rarely enforced to its extreme, but it is successfully used to circumscribe unregistered collective action.

In most instances, the group engaged in illegal meetings or activities is issued a warning by either the ministry of the interior, charged with preventing unregistered

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group activities, or the *mukhabarat*, which enjoys wide-ranging authority to suppress any actions deemed threatening to the security of the country.[40] The Coalition for Jordanian Women, formed in 1996 to discuss the possibility of female quotas in the 1997 parliamentary elections, is a case in point.[41] It was an unregistered organization which conducted public meetings and met with members of parliament to discuss the quota issue. Security groups complained that the group was unregistered and therefore technically illegal and issued warnings that they would crack down on it. Eventually, five of its members were brought in for questioning by the *mukhabarat*. Though in the end the *mukhabarat* did not prevent the group from meeting, it maintained close surveillance, which prompted the group to limit its activities and the scope of its work.[42]

Ministry officials at various regulative offices argue that, if a particular group's activities are not violent in nature, members should have no qualms about creating a registered formal organization instead of operating in the shadows of society. From this perspective, if a group has nothing to hide, it should operate in the open. State officials point to the opportunities in state-delineated social space to delegitimize groups that act outside this framework. Formally organized activities in civil society are thus actively encouraged over informal collective action.

Nongovernmental Organizations and Social Control

The regime utilizes bureaucratic processes, regulations, and practices to maximize surveillance and social control through formal civil society organizations. A myriad of requirements makes organizational activities transparent to state officials, thus reducing the chances of a collective action "surprise" that could threaten regime power. All collective action is partitioned, ordered, and rendered pliant for bureaucratic oversight. This section and the next examine how the Jordanian state uses this system with regards to nongovernmental organizations. This examination does not diminish the continued political relevance of other types of civil society organizations, including the professional associations, but provides insight into how the state can utilize civil society institutions to enhance its ability to control collective action.

Voluntary organizations are governed by the Law of Societies and Social Organizations, Law 33 of 1966.[43] Although initially intended for charitable organizations, the law is currently applied to cultural societies as well since they do not have an independent legal basis. It covers all voluntary societies and organizations organized "to provide social services without any intention of financial gains or any other personal gains, including political gains," including organizations devoted to charity, culture, science and training, and sports activities.[44]

To form an organization, a minimum of seven individuals at least twenty-one years old must first draft an internal law that clearly stipulates the goals, objectives,

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and activities of the prospective organization. The application must include the names, ages, occupations, and addresses of all founding members. It must also describe the conditions for membership and contributions, selection process for the administrative committee, administration of finances, and structure of the general assembly meetings.[45] The minister of social development, with input from both the governor of the district where the organization would be registered and the General Union of Voluntary Societies (GUVS), approves applications for charitable activities. There is no cultural union, so cultural societies are approved by the ministry of culture without union coordination. The respective ministry has full discretion to reject or accept applications. If approved, the internal law of the society, serves as a rigid guideline for permissible activities at the society, and any changes must first be approved by the government.

Nongovernmental organizations apply to a specific ministry for permission to operate, and their activities are confined to that ministry's purview of regulation, thus creating functional differentiation in administrative responsibilities. If an organization is applying to the ministry of culture, for example, it must demonstrate that its activities will be only in the field of culture. Organized work in civil society is channeled into separate administrative units where the respective administrative agency is charged with overseeing all of its activities. In practice, these categories are not absolutely discrete, and some overlap occurs, especially in charitable organizations that may provide some cultural activities as well. However, this overlap is more an exception to organizational patterns than the rule. The majority of activities must fall under the jurisdiction of the ministry with which the organization is registered.

The internal law further narrows the range of activities to a specific subset within the broader field of interest. Within the field of charity, for example, a society might receive permission to open a center for the disabled, but not to form an orphanage. Or an organization might receive permission to provide job training for women, but not to offer programs for the deaf. The state can strike specific activities from the proposed list in the permit application. In some instances it literally draws a line through unacceptable activities before issuing the permit.[46] Such discretionary power allows the state to shape the specifics of organizational activity in the kingdom and directs civil society associations into activities approved by the regime.

Law 33 provides the state with legal standing to regulate the minutia of organizational activities and institutes mechanisms for surveillance which help sustain the administrative divisions and maximize social control. The most important requirement is that the organization must maintain a detailed record of all its activities, which is submitted in an annual report to the state. This record includes information on finances, correspondence, board meetings, fixed assets, revenues and disbursements, and working members.[47] In addition, the law provides the state with sweeping opportunities for inspections: "the general manager or any employee in the depart-

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ment is entitled to visit any society, committee or union to examine its financial records to ensure that its money is spent in the manner for which it was established according to the law."[48] The law emphasizes the surveillance of financial activities to ensure that money is not used for unregistered activities that are not monitored by the state. Ministry officials also attend elections to the administrative boards and must approve the results.[49]

All of these requirements arm the state with the legal basis for dissolution should an organization wander beyond the confines of the internal law or fail to provide the state with the information that renders surveillance possible. Most dissolutions occur because the organization does not fulfill its specified goals, engages in activities for which it is not registered, fails to meet regularly, or does not provide the administrative agency with relevant records, especially financial records.[50] The most frequent cause of dissolution is prompted by an organization's failure to provide relevant information and detailed reports—in other words, failure to provide the information necessary for surveillance and discipline. Without records of organizational activity, it is difficult for the state to observe group work and sustain surveillance, and any failure to provide such information threatens the disciplinary power of the state. In 1995 eleven charitable societies were dissolved.[51] In 1996 eighteen were closed. In January 1997 alone five organizations were canceled by the ministry of social development.[52] Numerous cultural organizations have also been suspended by the ministry of culture. Despite political liberalization, the state retains its right to maintain disciplinary power and is willing to cancel any organization that does not comply with the instruments of surveillance and regulative control.

In many instances the state stops short of canceling a society and instead reorganizes the leadership and organizational structure.[53] The regulating ministry has the right to dissolve the administrative committee of any society and replace it with a temporary one until new elections are held.[54] Usually, the dissolution of the administrative committee occurs if there is insufficient attendance at board meetings or a violation of the internal law. In one case, the ministry of social development removed the administrative board members of the Jericho Society in Amman because there were continual disagreements and disputes among the board members. The ministry reasoned that the society was unable to achieve its goals because of this disarray and dissolved the administrative board. A temporary committee was appointed for six months, during which time it went through all of the society's records and assets and entirely reorganized it. After the reorganization, new elections were held, and the society continued its work.[55]

In its quest to enhance social control through civil society, the state strictly prohibits transgression into the political sphere.[56] Political activities are permitted only through political parties, which were formally legalized by the Political Party Law, Law 32 of 1992. This law stipulates that "the use of the premises, instrumentalities, and assets of associations, charitable organizations and clubs for the benefit of any

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partisan organization shall be prohibited."[57] The separation between the activities of nongovernmental organizations and politics is also reflected in Law 33 of 1966, which prohibits the use of nongovernmental organizations for political gains.[58] Events, lectures, and activities are regulated, so that they maintain an unambiguously apolitical content, and work that wanders into the political realm is suppressed and constrained. Government officials argue that new political freedoms provide opportunities to organize in politics through political parties and that any political activities should be confined to this space.[59]

In addition, discretionary state control over the composition of volunteers and members is used to prevent the politicization of nongovernmental organizations by opposition forces. In particular, all elections, leaders, and members must be cleared by the security apparatus and other state agencies, a requirement that insinuates lingering authoritarian practices and indicates that a complete shift from repression to administration is not yet complete. Although it is not explicitly stated in Law 33, all volunteers as well as administrative board members must first be approved by the "security department," in particular the *mukhabarat* and public security at the ministry of the interior.[60] This input in registration decisions represents the veto power of the security apparatus.

In one case, the regime used this power to exclude certain individuals from membership in an Islamic cultural society because these individuals were considered overly critical of the state and the regime. The *mukhabarat* approached the leaders of the organization and dictated which individuals could not participate. Without this exclusion the state would have rejected the application for registration, and the society would have been prevented from engaging in activities. At this same society, a member of the administrative committee who is critical of the Jordanian regime was brought in by the *mukhabarat* for questioning. He was released from detention only after using *wasta* (personal connections) to a general in the army. His release was conditioned upon his resignation from the administrative board. The *mukhabarat* forced him to remove himself from a position of leadership within the society and permits him to act only as a working member. Through this kind of power, the state enjoys absolute control over the composition of volunteers in the activities of nongovernmental organizations and is able to shape and mold the make-up of participants in the voluntary sector.

The state uses these legal codes and regulative practices in an attempt to prevent the emergence of opposition movements such as those that mobilized in eastern Europe and Latin America. What remains is a well-organized civil society that facilitates the social control of the regime. Since political liberalization the regime has permitted the expansion of civil society, particularly through nongovernmental organizations, but this growth is not in opposition to the state. Instead, the expansion of civil society has allowed the regime to monitor collective action in the kingdom more efficiently by channeling group work into a well-managed group of formal

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organizations. It has created a constellation of transparent vehicles of collective action which the regime can carefully observe.

Corporatism and Self-Discipline

While controlling nongovernmental organizations in civil society through discipli-nary power, upheld by repression, the state has also implemented self-disciplining mechanisms within the community of nongovernmental organizations itself, thereby reducing the cost of surveillance for the state. The General Union of Voluntary Societies is the corporatist creation of the state, formed to regulate and control all charitable activities in the kingdom. Comprised of charitable nongovernmental orga-nizations and volunteers from them, the GUVS enforces self-discipline and self-reg-ulation in the community. It utilizes its own disciplinary tactics to regulate and man-age the activities of nongovernmental organizations which fall under the purview of the ministry of social development and monitors the details of organizational activi-ty.

In accordance with Law 33 of 1956, governate level unions were formed in 1956, and the GUVS was formed in 1959. According to the law, the GUVS was chartered to function as the umbrella organization for all governate unions and charitable non-governmental organizations in the kingdom. As the number of NGOs and governate unions expanded over the years, the GUVS became an increasingly important tool in managing voluntary activities. As an instrument of corporatism, it is an organiza-tional link between grass-roots organizations and the state. It is registered at the min-istry of social development like any other organization and is subject to the same rules and regulations. In practice, however, it is inextricably linked to the administra-tive apparatus through its regulative and oversight functions. Decisions about whether to register new societies or to expand an organization's activities are made jointly by the GUVS and the ministry. Though this procedure serves as a form of corporatist participation whereby the interests of the nongovernmental organizations are represented through the GUVS, in the end the ministry retains the final decision and has rejected GUVS recommendations. The ministry is represented at all execu-tive council meetings of the GUVS, and, although its representative does not enjoy veto power, decisions that the government opposes can eventually be rejected by the ministry. The GUVS is so intimately connected to the state apparatus that one Islamist organizer referred to it as the "ministry of associations."

To maximize control over nongovernmental organizations, the GUVS structure is hierarchical, characteristic of most corporatist entities where decisions are limited to peak representative associations. At the bottom of the organizational pyramid are the grass-roots nongovernmental organizations, which are tied to the GUVS through an intermediary level of governate unions. All charitable organizations are required to

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register with the ministry of social development, the governate union, and the GUVS.[61]

Aside from its input in the regulation and administration of charitable nongovernmental organization activities, the GUVS enhances the disciplinary power of the state through statistical analysis and data collection. It has access to all nongovernmental organization records and reports, and it uses them to monitor, track, and analyze nongovernmental organization activities in the kingdom. The GUVS gathers data on various dimensions of organizational work which are compiled in an annual report. It also monitors voluntary activities through the affiliated Voluntary Center-Jordan (VCJ), which was established in 1989 and reactivated in 1995, and the Social Data Bank at the GUVS.[62] This monitoring not only enhances the state's ability to coordinate nongovernmental organization activities in the kingdom, but also serves as a mechanism of control and discipline. It permits the surveillance of both aggregate trends and the minutia of nongovernmental organizations, and the state can regulate them according to the conclusions it draws from the data, as it sees fit.

The power of the GUVS derives not only from this surveillance and its regulative capacity, but also from its financial role in the nongovernmental organization community. It provides approximately 30 percent of all charitable nongovernmental organization investment in the country, most of which is raised through donations and the National Charitable Lottery run by the GUVS.[63] The latter source raises JD1.5 million a year (approximately $2.14 million).[64] As the representative of charitable nongovernmental organization work in Jordan, the GUVS is also one of the primary recipients of international aid from organizations and foreign government agencies such as the United States Agency for International Development.[65] These financial resources are used to invest in GUVS charity programs and assist individual nongovernmental organizations.

Though the GUVS only oversees organizational activities registered at the ministry of social development, it is an interesting example of state corporatist strategies designed to monitor and regulate nongovernmental organization activities. It was initiated by the state and serves the interests of bureaucratic control. Cultural organizations have become more prevalent only since 1992, when the number of organizations increased from fifty-nine to 101.[66] They are therefore still regulated directly by the ministry of culture.

Conclusion

As a sphere of social interaction, civil society is regulated by a system of law, whether produced by a democratic regime or an authoritarian ruler, and is therefore subject to exogenous regulative state institutions and practices that create limits and constraints. Regulations, permit requirements, tax codes, and a host of other state

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instruments circumscribe activities and collective action in civil society. Formal organizations, often seen as the articulate manifestation of civil society, are particularly susceptible to this system of control because of their visibility. Civil society is never autonomous from the state; it has only varying degrees of independence.

It is important to understand the political context created by state regulative practices when examining whether civil society institutions are a source of collective empowerment. This article has shown how the Jordanian regime, in an attempt to maintain its power, utilizes the growth of civil society institutions through nongovernmental organizations to enhance state social control using order and visibility. It channels collective action into these civil society organizations, which are then subject to a web of bureaucratic regulations and legal codes designed to enhance the regime's ability to monitor collectivities. Organizational activities are broken into discrete categories and regulated by functionally differentiated government agencies that oversee civil society. Any collective action outside formal organizations is repressed since it is difficult to monitor and control. The transparency of organizations serves regime interests by creating windows into society. This system of control is not unitary, nor is it complete, but it indicates the regime's continued desire to maintain power despite movement toward greater political freedom.

This shift away from raw coercion toward disciplinary and administrative power characterizes the political context in many Middle East countries. Egypt, for example, has initiated some political liberalization measures but organizes and regulates civil society in a manner almost identical to Jordan. In fact, the law regulating nongovernmental organizations in Egypt (Law 32 of 1964) includes the same language and requirements as Law 33 in Jordan and outlines a system of social control that emphasizes order and visibility. Despite the empirical growth of civil society organizations in Egypt, the regime maintains control by creating greater predictability and oversight of collective action. A similar pattern is evident in Morocco.[67] Other countries in the region share parallel laws and administrative practices. As more countries initiate political liberalization measures, one can expect the balance of social control mechanisms to shift further away from visible repression to more insidious bureaucratic forms of control. Even Palestinian civil society is governed by the same process, a system of control that will reify regime power if and when the Palestinians gain autonomy or independence.[68]

The social control dimensions of civil society are not static, and there is still the possibility of democratizing pressure from below. The continued political activities of the professional associations and intermittent conflict between nongovernmental organizations and the state indicate that civil society itself has not fully acquiesced in regime interests. They also demonstrate that the system of social control is not absolute. In addition, political liberalization and democratization in Jordan are not yet complete, and lingering authoritarian tendencies persist. This situation creates a potential democratizing role for civil society. To pursue democratization through

civil society organizations, however, would require the dismantling of the current system of bureaucratic regulations and oversight that compartmentalizes and depoliticizes a significant portion of civil society. The partition of civil society into administrative units makes it difficult for social movements or proponents of democracy to create a widescale popular surge for political change because interorganizational linkages and activities are circumscribed. Under such circumstances a unified push for democracy is difficult. But if Law 33 and regulative practices are revised, there may be impetus for greater democratization from below. In addition, there are early indications that King Abdullah II, who ascended the throne after King Hussein's death in February 1999, may further liberalize the system.

The possible use of civil society as an instrument of state social control and the limits of civic organization in the Middle East challenge social scientists to reevaluate the perspective of civil society as empowerment. It is undoubtedly true that in certain political contexts civil society can act as a vehicle of collective empowerment. The power of associationalism in Latin America and eastern Europe in the 1980s attests to this fact. But in a political context characterized by political liberalization from above, civil society may act to reify regime power by creating a constellation of visible organizations that can be carefully monitored and managed. This visibility and the disciplinary technologies that enforce it make collective action and associationalism predictable, transparent, and thus controllable. At the same time, this system of control limits the ability of civic leaders to mobilize against state power through organizations. Optimism about the possible empowering role of civil society, shared by various versions of the civil society approach, should thus be tempered by the reality of political context. In much of the Middle East, civil society does not act as a conduit for freedom; instead, it further extends the state's social control over its citizens.

NOTES

1. See Clement Henry Moore, "Promoting Democracy: USAID, at Sea or off to Cyberspace?," *Middle East Policy*, 5 (January 1997), 178–89.

2. Various states in the Middle East not only limit the political activism of many (though not necessarily all) civil society institutions, but also shape nonpolitical activities by dictating permissible kinds of social interactions. I use the term "social control" rather than "political control" to connote the broad reach of these constraints.

3. For a good overview of the concept of civil society, see John Hall, *Civil Society: Theory, History, Comparison* (Cambridge: Blackwell Publishers, 1995).

4. Bob Edwards and Michael W. Foley, "Civil Society and Social Capital beyond Putnam," *American Behavioral Scientist*, 42 (September 1998), 125.

5. Bob Edwards and Michael W. Foley, "Beyond Tocqueville: Civil Society and Social Capital in Comparative Perspective," *American Behavioral Scientist*, 42 (September 1998), 5–20.

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6. Guillermo O'Donnell and Philippe Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore: The Johns Hopkins University Press, 1986).

7. Ibid., pp. 53–56.

8. See, for example, Cathy Lisa Schneider, *Shantytown Protest in Pinochet's Chile* (Philadelphia: Temple University Press, 1995).

9. Z. A. Pelcynski, "Solidarity and 'The Rebirth of Civil Society' in Poland," in John Keane, ed., *Civil Society and the State: New European Perspectives* (London: Verso, 1988), pp. 361–80.

10. Václav Havel, "The Power of the Powerless," in John Keane, ed., *The Power of the Powerless* (Armonk: M. E. Sharpe, 1985), pp. 78–79.

11. See, for example, Naomi Chazan, "Africa's Democratic Challenge: Strengthening Civil Society and the State," *World Policy Journal*, 9 (Spring 1992), 279–307; Edmond J. Keller, "Towards a New African Order? Presidential Address to the 1992 Annual Meeting of the African Studies Association," *African Studies Review*, 36 (September 1993), 1–10.

12. See, for example, Augustus Richard Norton, ed., *Civil Society in the Middle East*, vols. 1 and 2 (Leiden: E. J. Brill, 1995, 1996); Jillian Schwedler, ed., *Toward a Civil Society in the Middle East? A Primer* (Boulder: Lynne Rienner, 1995).

13. Mustapha Kamel al-Sayyid, "Professional Associations and National Integration in the Arab World, with Special Reference to Lawyers Syndicates," in Adeed Dawisha and I. William Zartman, eds., *Beyond Coercion: Durability of the Arab State* (New York: Croom Helm, 1988); Robert Bianchi, *Unruly Corporatism: Associational Life in Twentieth-Century Egypt* (Oxford: Oxford University Press), pp. 90–157; Scott Mattoon, "Egypt: Islam by Profession," *The Middle East*, 218 (1995), 16–19; Salwa Ismail, "State-Society Relations in Egypt: Restructuring the Political," *Arab Studies Quarterly*, 17 (Summer 1995), 37–52; and Carrie Rosefsky Wickham, "Islamic Mobilization and Political Change: The Islamist Trend in Egypt's Professional Associations," in Joel Beinin and Joe Stork, eds., *Political Islam* (Berkeley: University of California Press, 1997). It must be noted, however, that in the Egyptian case the professional associations are under siege. The 1993 Law to Guarantee Democracy in Professional Associations, which allows the regime to control the administrative board when voter turnout at association elections is low, is one example. See Rex Brynen, Bahgat Korany, and Paul Noble, "Conclusion: Liberalization, Democratization, and Arab Experiences," in Bahgat Korany, Rex Brynen, and Paul Noble, eds., *Political Liberalization and Democratization in the Arab World, Volume 2: Comparative Experiences* (Boulder: Lynne Rienner, 1998), p. 273.

14. Rachad Antonius and Qassal Samak, "Civil Society at the Pan-Arab Level? The Role of Non-Governmental Organizations," in Hani A. Faris, ed., *Arab Nationalism and the Future of the Arab World* (Boston: Association of Arab-American University Graduates, 1987); Shafeeq Gharba, "Voluntary Associations in Kuwait: The Foundation of a New System," *Middle East Journal*, 45 (Spring 1991), 199–215; Mustapha Kamal al-Sayyid, "A Civil Society in Egypt?," *Middle East Journal*, 47 (Spring 1993), 228–42; Denis J. Sullivan, *Private Voluntary Organizations in Egypt: Islamic Development, Private Initiative, and State Control* (Gainesville: University of Florida Press, 1994); Amani Kandil, *Defining the Non-Profit Sector in Egypt* (Baltimore: The Johns Hopkins University Institute for Policy Studies, 1993); Amani Kandil, *Civil Society in the Arab World: Private Voluntary Organizations* (Washington, D.C.: Civicus, 1995); Diane Singerman, *Avenues of Participation: Family, Politics, and Networks in Urban Quarters of Cairo* (Princeton: Princeton University Press, 1995), pp. 244–68; Moheb Zaki, *Civil Society and Democratization in Egypt, 1981–1994* (Cairo: Konrad Adenauer Foundation, 1995), pp. 56–65; and Laurie Brand, *Women, the State, and Political Liberalization: Middle Eastern and North African Experiences* (New York: Columbia University Press, 1998).

15. Aymen M. Khalifa, "Reviving Civil Society in Egypt," *Journal of Democracy*, 6 (July 1992), 153–62.

16. As quoted in Sheri Berman, "Civil Society and the Collapse of the Weimar Republic," *World Politics*, 49 (April 1997), 407.

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17. Ibid., pp. 401–29.
18. Keith E. Whittington, "Revisiting Tocqueville's America: Society, Politics, and Association in the Nineteenth Century," *American Behavioral Scientist*, 42 (September 1998), 21–32.
19. Ibid., p. 22.
20. Michael W. Foley and Bob Edwards, "The Paradox of Civil Society," *Journal of Democracy*, 7 (Summer 1996), 38–52.
21. Ibid., pp. 38–52; Sydney Tarrow, "Making Social Science Work across Space and Time: A Critical Reflection on Robert Putnam's *Making Democracy Work*," *American Political Science Review*, 90 (June 1996), 389–97; John A. Booth and Patricia Bayer Richard, "Civil Society and Political Context in Central America," *American Behavioral Scientist*, 42 (September 1998), 33–46.
22. Booth and Richard, pp. 33–46.
23. Korany, Brynen, and Noble, eds., *Political Liberalization and Democratization in the Arab World, Volume 2*. For this argument applied to Jordan in particular, see Laurie Brand, "Economic and Political Liberalization in a Rentier Economy: The Case of the Hashemite Kingdom of Jordan," in Iliya Harik and Denis J. Sullivan, eds., *Privatization and Liberalization in the Middle East* (Bloomington: Indiana University Press, 1992); Rex Brynen, "Economic Crisis and Post-Rentier Democratization in the Arab World: The Case of Jordan," *Canadian Journal of Political Science*, 25 (March 1992), 69–97; and Katherine Rath, "The Process of Democratization in Jordan," *Middle Eastern Studies*, 30 (July 1994), 530–57.
24. Samih Farsoun, "Class Structure and Social Change in the Arab World: 1995," in Hisham Sharabi, ed., *The Next Arab Decade: Alternative Futures* (Boulder: Westview Press, 1988), p. 231.
25. Malik Mufti, "Elite Bargains and the Onset of Political Liberalization in Jordan,"*Comparative Political Studies*, 32 (February 1999), 104. See also Robert Satloff, "Jordan's Great Gamble: Economic Crisis and Political Reform," in Henri Barkey, ed., *The Politics of Economic Reform in the Middle East* (New York: St. Martin's Press, 1992).
26. Calculated using information from the Ministry of Culture, *Annual Report 1994* (Amman: Hashemite Kingdom of Jordan, 1995); and Ministry of Social Development, *Annual Report 1995* (Amman: Hashemite Kingdom of Jordan, 1995).
27. Michel Foucault, *Discipline and Punish* (New York: Vintage Books, 1979).
28. For the use of the Arab bureaucracy for social control, see Nazih N. Ayubi, *Overstating the Arab State: Politics and Society in the Middle East* (London: I. B. Tauris, 1995), pp. 320–27.
29. Peter Wagner, *A Sociology of Modernity: Liberty and Discipline* (London: Routledge, 1994), p. 99.
30. Mark Neocleous, *Administering Civil Society: Towards a Theory of State Power* (New York: St. Martin's Press, 1996).
31. Foucault, p. 187.
32. Law 30 of 1953, Law of Public Meetings, Article 2.
33. This legal prohibition can be used to prevent traditional meeting formats such as the *diwaniyyas*, common in the Gulf and Iran. *Diwaniyyas* are meetings, often held in private homes, to discuss various issues, including politics, and can serve as venues for political mobilization. See James A. Bill, "The Plasticity of Informal Politics: The Case of Iran," *The Middle East Journal*, 28 (1973), 131–51; Gharba, pp. 199–215.
34. The *mukhabarat* is the General Intelligence Directorate (GID), responsible for internal security. In many instances it has functioned as a secret police.
35. Law 30, Article 3.
36. Ibid., Article 4.
37. Ibid., Article 5.
38. Ibid., Article 7.
39. Ibid., Article 8.
40. Groups that do not threaten the regime are sometimes allowed to continue operating without a permit, but the threat of state action is always present.

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41.   Women are underrepresented in parliament, and there have been numerous proposals to create quotas to enhance their political stature. Because Jordan is a conservative, tribal society, female quota proposals have faced serious resistance.

42.   Interview with a founder of the Coalition for Jordanian Women, November 5, 1996.

43.   Law 33 is similar to laws governing voluntary work in other Arab countries. See Sullivan, *Private Voluntary Organizations*, pp. 17–18; Zaki, pp. 56–57, 61–62.

44.   Law 33 of 1966, Law of Societies and Social Organizations, Article 2.

45.   The state requires that all members of the administrative board be elected democratically.

46.   Interview with the president of a charitable organization in Zarqa, March 18, 1997.

47.   Law 33, Article 15.

48.   Ibid., Article 14.

49.   Ibid., Article 17. A GUVS official confirmed that this provision is enforced.

50.   Interview with a GUVS official, October 28, 1996; Meeting Minutes of the Amman Governate Union.

51.   GUVS, *Executive Council Report* (Amman: GUVS, 1996), p. 39.

52.   Interview with Mahmoud Kafawee, Director of Charitable Organizations at the Ministry of Social Development, March 28, 1997.

53.   The state also routinely issues warnings to organizations.

54.   Law 33, Article 18.

55.   Interview with Hashem Azzan, February 17, 1997. Azzan was a member of the appointed temporary committee.

56.   For a more thorough discussion of this issue, see Quintan Wiktorowicz, "The Limits of Democracy in the Middle East: The Case of Jordan," *Middle East Journal* (forthcoming).

57.   Law 32 of 1992, Law of Political Parties, Article 14.

58.   Law 33, Article 2.

59.   Interview with the Director of Cultural Exchange, Ministry of Culture, October 8, 1996; interview with Mahmoud Kafawee, March 28, 1997.

60.   Abdullah El Khatib, "The Experience of NGOs in Jordan (Brief Description)," paper presented at the Experts Meeting on Strategies for Strengthening NGO Networking and Research in the Middle East, Arab Thought Forum, Amman, March 26, 1994, pp. 20–21.

61.   Ibid., p. 11.

62.   General Union of Voluntary Societies, *Profiles, Programs, Projects* (Amman: GUVS, 1996), p. 19.

63.   El Khatib, p. 15.

64.   General Union of Voluntary Societies, *Executive Council Report*, p. 16.

65.   Abdullah El Khatib, "The Impact of the Third Sector in Economic Development of Jordan," paper presented at the ISTR second International Conference, Mexico City, July 18–21, 1996, p. 17.

66.   Ministry of Culture, *Annual Report* (Amman: Hashemite Kingdom of Jordan, 1994).

67.   Bahgat Korany, "Monarchical Islam with a Democratic Veneer: Morocco," in Korany, Brynen, and Noble, eds., *Political Liberalization and Democratization in the Arab World, Volume 2*, p. 174.

68.   See Denis Sullivan, *Non-Governmental Organizations and Freedom of Association: Palestine and Egypt: A Comparative Perspective* (Jerusalem: Passia, 1995).

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