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Arab Civil Society Actors and their Quest to Influence Policy-Making

Case Study #16

Country Jordan

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STOLEN GAS CAMPAIGN

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The involvement, strategies and tactics of Jordanian civil society in opposing a multibillion-dollar deal with 'Israel' to import stolen Palestinian natural gas

BACKGROUND AND TIMELINE

In 1994, the Jordanian regime entered into the Wadi Araba peace treaty with 'Israel'. The treaty has had an unpopular legacy that continues until today, as Jordanians remain opposed to normalizing relations with an occupying, settler-colonial power in the region. Five years later, Israel discovered the first gas reserve, the Noa field, off the shores of Gaza, followed by the Mari-B field discovery, a strategic source for Israel's gas distribution channels¹. Israel began Mari-B's commercial operations in 2004, only three years prior to imposing a land, air, and water siege on the Gaza Strip. In 2009, Noble Energy² announced the discovery of the Tamar field in the north-west of Palestine, off the shores of Haifa. However, the largest discovery in the Mediterranean yet to be made at the time was in 2010³ when Noble Energy announced the giant Leviathan field 30km west of Tamar.

Those discoveries have been dubbed by some analysts as Israel's 'Gas Revolution'⁴ because while Mari-B and Tamar wells had been used for domestic energy consumption, the Leviathan would open the prospect of export⁵.

Yet, the wealth of gas reservoirs off the shores of historic Palestine is not merely an issue of energy security for Israel, although that is an important consideration. It also impacts the long-standing issue of peace and normalizing relations with bordering Arab countries; having access to energy sources with export potential in a region undergoing power shortages and energy instability further imbalances existing geopolitical power structures. Israel has sought to secure export agreements not only with Jordan, but also Egypt and Turkey on the one hand, and the EU on the other through the Euroasia Interconnector project with Cyprus and Greece.

On September 3, 2014, Noble Energy⁶ signed a letter of intent (LOI) with the Jordanian National Electric Power Company (NEPCO)⁷. The deal was met with widespread opposition from formal, informal, institutional, and grassroots civil society actors. It was not until two years later, in September 2016, that a binding deal was signed⁸. This delay was attributed to a combination of factors ranging from domestic opposition to the deal in Jordan, to internal antitrust affairs within the Israeli government. Despite the official signing in 2016, opposition against the deal in Jordan persisted.

¹Power, S. (2015, Aug). "Annexing Energy: Exploiting and Preventing the Development of Oil and Gas in the Occupied Palestinian Territories". Al Haq Organization. Retrieved April 1, 2019, from: <http://www.alhaq.org/publications/publications-index/item/annexing-energy>

²An American petroleum and gas exploration and production corporation with headquarters in Texas.

³In 2015, a discovery of Zohr field was made. It is by far the largest gas well in the Mediterranean today, situated off the shores of Port Said in Egypt.

⁴List of references available at the Institute for Palestine Studies website: 'Israel's Natural Gas Revolution'. Institute for Palestine Studies. Retrieved on May 12, 2019 from <https://www.palestine-studies.org/node/162440>

⁵Siddig, K., & Grethe, H. (2014). "No more gas from Egypt? Modeling offshore discoveries and import uncertainty of natural gas in Israel". *Applied Energy*, 136, pp. 312-324. Retrieved April 1, 2019.

⁶Representing a consortium including two other Israeli companies: Delek and Ratio.

⁷Press Release (2014, Sep). "Noble Energy Announces Letter of Intent to Sell Leviathan Natural Gas to the National Electric Power Company of Jordan". Noble Energy. Retrieved April 6, 2019 from: <http://investors.nbleenergy.com/news-releases/news-release-details/noble-energy-announces-letter-intent-sell-leviathan-natural-gas>. Note that in 2016, the revised price of the deal went down to \$10 billion USD for the same duration and supply rate.

⁸Omari, R. (2016, Sep). "Jordan Signs Deal to Buy Gas from Israel". *The Jordan Times*. Retrieved April 6, 2019 from: <http://jordantimes.com/news/local/jordan-signs-deal-buy-gas-israel>

CIVIL SOCIETY ACTORS' ROLE AND INVOLVEMENT

Within a week of announcing the LOI, youth groups and local community-based organizations (CBOs) opposed to the deal began organizing internally to prepare for a response. They formed a coordination committee under the name of 'The Jordanian Coordination Committee Against Importing Gas from Israel'. The committee's permanent and active members eventually were six groups, namely the Arab Group for the Protection of Nature, Masar Taharuri Initiative, Jordan BDS movement, Al-Hirak Al Shababi, Tammei for Youth Development, and the anti-normalization [with 'Israel'] committee at the Engineers' Syndicate. While each group had its action plan, the committee aimed to coordinate efforts and ensure that groups support each other's actions as well as collectively agree on messaging, direction and some joint actions.

This coordination committee, through the efforts of its constituent groups separately and collectively, was the main driving force behind the 'Stolen Gas Campaign'.⁹ Three months later, on December 28, the committee held a public forum to consolidate and expand opposition by organizing more than 30 bodies including political parties, labor unions, professional syndicates, women's associations, CBOs, and independent informal groups to join the campaign. Those bodies, representing a diverse range of political ideologies across the spectrum from right, left, and center¹⁰ formed a national coalition against the deal. According to activists in the campaign, "diversity was the antidote of a monopoly, a scene otherwise often seen in Jordanian politics. Diversity protected against ideological labels and opened doors for wide participation."¹¹ Additional stakeholders mobilized and engaged with the campaign included members of parliament and parliamentary committees as well as media outlets, tribal representatives, and influential public figures.

STRATEGIES AND TACTICS

The considerations surrounding the gas deal during the earlier LOI phase were different from the considerations after the deal was officially signed in 2016. The campaign adapted its approach according to those different contexts. The author of this paper is referring to those two contexts as 'Phase 1' and 'Phase 2' for convenience of reference only.

Phase 1: September 2014 – September 2016

When the LOI was first announced, "activists believed that the government intended to sign the deal behind the scenes."¹² Thus, the main strategy was to shift the debate from closed circles into the public realm and to make the deal an issue of popular public concern. The mobilizations during the first few weeks of the campaign were prompt and proactive. In contrast, the regime's narrative was rather ambiguous and included multiple incidents of misleading representations about the facts of the deal.¹³ There was a clear flounder in the official narrative; arguments were changing rapidly from alleging that "the source of gas is from Mediterranean waters and not from Israel" to "there is no energy alternative available for Jordan except Israeli gas."¹⁴



The campaign adopted the approach of exposing the facts in numbers and using scientific evidence¹⁵, and responded similarly to officials' misrepresentations through reports, analysis, factsheets, flyers, seminars, videos, public debates, and media interviews.

A parallel approach was mobilizing public opinion through platforms such as parliament, mainstream and alternative media outlets, and influential public figures. One goal was to enlist the gas deal on the parliament's agenda and afterwards to secure a majority vote against the deal. The primary tactics included phone banking, one-to-one and electoral list lobbying, roundtable discussions with key parliamentary allies, providing MP's with policy briefs and digests, and a 'citizen watch'.¹⁶ As for public figures and media, tactics involved short video statements, roundtables with journalists, intensive op-eds and general media coverage of the campaign's actions, as well as written literature and audio-visual materials. The third strategy was popular mobilization, which the campaign implemented through a public petition, mass street actions¹⁷, and a popular tribunal. Fourth, a team of lawyers was formed to examine the possibilities of legal mobilization; the main tactics employed were submitting Freedom of Information Requests and appealing the Ministry of Energy's decision (declining to provide the requested information) in the Administrative Court. Lastly, the fifth strategy for this phase concerned international mobilization, attempting to capitalize on the Jordanian regime's sensitivity to foreign policy pertaining to local issues that take an international dimension. The main tactics here were concurrent, distributed actions at Jordanian embassies abroad and coverage of the campaign's domestic and international efforts in foreign media outlets.

Phase 2: September 2016 – present

Despite all the efforts discussed above, the gas agreement was signed. The objective of the campaign remained to nullify the agreement, but the strategies seem to have shifted.

Popular mobilizations continued and saw a hike in mass participation in actions such as demonstrations, 'turn off the lights' hour¹⁸, and domestic power shutdowns. However, the momentum of street-based actions faded with time and participation became visibly low. As an alternative, members of the campaign "brought art and activism together to reach wider constituencies through music and songs, as well as creative graphics and comedy shows denouncing the deal."¹⁹

⁹Stolen Gas Campaign: an unofficial English shorthand name for the campaign. The official name of the campaign is <غاز العدو احتلال> (transliteration: Ghaz al 'adou ehtilal)

¹⁰Several left-wing parties, such as Unity (Wihdeh) Party and the Communist Party, as well as several Islamic parties, such as the Islamic Action Front, were all members of the coalition, amongst others.

¹¹Anonymous (2019, Jan 25). Personal interview via video chat.

¹²Ahed, H. (2019, May 12). Personal interview via video chat.

¹³The official narrative warrants further research, however, this is based on an analysis conducted by the author of this paper of official governmental statements and discourse vis-à-vis the facts and scope of the gas deal during the 2014 - 2016 period.

¹⁴Al-Shami, A. (2014, Dec). "مغالطات حقل المتوسط" [Fallacies surrounding the Mediterranean Gas Reserve]. *Ziber* Retrieved on April 1, 2019 from: <https://www.ziber.com/2014/10/myths-on-israeli-gas-deal/>

¹⁵Mika Minio Paluello. (2014, Nov). "The Israel-Jordan Gas Deal: Pumping Revenue into Israel's Coffers". Platform London Research Centre. Retrieved April 1, 2019, from: https://platformlondon-org.exactdn.com/wp-content/uploads/2014/11/Platform_IsraelJordanGasDealRevenue.pdf

¹⁶Citizen watch: Mobilizing members of the public to attend live parliamentary discussion and voting sessions to ensure that MPs vote according to the stance they committed to during phone banking tactics.

¹⁷Such as demonstrations, marches, silent protests, and visual-intensive human chains.

¹⁸طفي الضوء

¹⁹Anonymous, supra 11.

During this phase, the role of professional syndicates became more prominent when the Bar Association, the Engineers Association, and the Construction Contractors Association – all of whom are members of the coalition – called upon their members not to engage in any professional or business activity connected to the pipeline, otherwise risking disciplinary measures. There was a rise in public disclosure by individual syndicate members declining pipeline contracts, thus forgoing the high-profit margins they were offered. As a result, the company or contractor who accepted the pipeline contract remains unannounced to the public at the time of writing.

Lastly, the campaign mobilized new stakeholders. Owners whose lands were appropriated by the government through forced acquisition to build the pipeline and the residents of the villages and towns through which the pipeline will pass engaged with the campaign. The chief tactics included direct actions, where residents had confrontations with the contractors upon placing equipment on their lands, as well as raising awareness on the environmental damage associated with the project.

INFLUENCING FACTORS

After two years of opposition, the Jordanian regime was not unprepared. Prior to the signing of the deal in 2016, a new offshore company was registered in the Cayman Islands under the name 'NBL Jordan Marketing' which was a subsidiary of Noble Energy by full ownership. The official agreement was signed between NEPCO and NBL. The regime, through its security intelligence apparatus, used soft-power tactics to undermine the campaign, including intimidation of activists and attempts to trigger internal factional conflicts. While the majority of organizations and activists remained within the coalition, those attempts ultimately affected the focus of the campaign, and its constituent members, in balancing between strategy implementation while resolving internal tensions.

Attempts to undermine the campaign heightened, especially after the assassination of Nahed Hattar, as the incident allowed the regime to operate in a state of exception accompanied by political vacuum and high societal polarization. The gas deal was signed during the 48 hours between the dissolution of the Nsour government, in light of the assassination, and the formation of the new Mulqi government, and while parliament was in recess due to elections. For three years, the government did not present the terms of the agreement to parliament despite requests by MPs and the Parliamentary Energy Committee. In the 2016 parliamentary elections, the campaign and its member organizations lost many allies who had voted by a majority against the deal in the parliament elected in 2013. Lack of serious efforts to obtain the terms of the agreement on the part of the new members of parliament increased frustration amongst activists. After the deal was signed "Parliament took no meaningful steps towards nullifying the deal and seemed to be paying lip service to the campaign."²⁰ The newly formed Mulqi government seems to have preempted opposition by launching a counter-lobbying drive to win support from the new parliamentarians. "Between the government and the calculated steps of newly elected Parliamentarians, the issue was diluted."²¹

It was not until three years later, in March 2019, that the new parliament substantially placed the gas deal on its agenda, resolving to refer the matter to the Constitutional Court. In May, amidst international developments vis-à-vis the so-called 'Deal of the Century'²², the speaker of parliament stated that regardless of the court's decision, the parliament demands the government to scrap the deal²³. Hala Ahed is amongst many who favor the view that "if Parliamentarians were serious about this demand, they ought to leverage it against a motion of no-confidence vote."²⁴ With a great deal of uncertainty surrounding the court's process and outcome, it will be interesting to see how future developments will unfold.

POLICY OUTCOME

In terms of policy outcomes, so far, the campaign has not nullified the deal, and thus it has been unsuccessful in achieving its primary objective. However, the campaign is still ongoing, and the outcomes of the most recent policy developments – namely, the referral of the legality of the deal to the Constitutional Court – are yet to unfold.

Success could be measured by the impact on the actual policy targeted, but it could also be measured by the amount of public awareness raised and the personal development of the individuals involved in a campaign. Perhaps most importantly, the ability of such diverse groups to continue to work collectively is an additional success indicator. It has been argued that organizers who are engaged in civic issues are likely to continue engaging in such efforts throughout their lifetime. As such, their mobility across campaigns allows them to pool their acquired connections, leadership skills, and insight, thereby accumulating impact on social change through sustained civic engagement.²⁵

Such analyses are shared by activists who believe that there is more than one success indicator, policy outcomes being just one of them. "From their involvement in the [Stolen Gas] campaign, activists formed new bonds and gained more experience, courage, and tools in political grassroots organizing. The disregard of their demand to scrap the deal became one more reason to be frustrated with the government."²⁶ Such continuation of disappointments were relevant to the anti-tax bill mobilizations that took place in May 2018. Actors within different issues, from the gas deal to women's rights, took part in those mobilizations "not only because they were naturally part of the national political scene or to express their frustration with the government, but also to reclaim their agency in social impact."²⁷

This phenomenon is in line with the theory that views persistent mobility of activists in their collective civic engagement is a driver of a continuum of social change²⁸. After all, the gas campaign is thought to be one of the longest and most extensive opposition campaigns in Jordan at least since the 2011 rallies during the Arab uprisings.²⁹

²⁰Ahed, *supra* 12.

²¹*Ibid.*

²²(2019, April 26). "US to Announce 'Deal of the Century' after Ramadan". *Palestine Chronicle*. Retrieved on May 12, 2019 from <https://www.palestinechronicle.com/us-to-announce-deal-of-the-century-after-ramadan/>

²³Al-Tarawneh, A. (2019, May 12). "Interview: Without Limits". [Television Broadcast] BBC Arabic Live.

²⁴Ahed, *supra* 12.

²⁵Skocpol, T., Ganz, M., Munson, Z. (2000, Sep). "A Nation of Organizers: The Institutional Origins of Civic Volunteerism in the United States". *American Political Science Review*, 94(3), pp. 527 - 547. Retrieved Jan 13, 2019, from: https://www.jstor.org/stable/2585829?read-now=1&seq=1#page_scan_tab_contents

²⁶Ahed, *supra* 12.

²⁷*Ibid.*

²⁸Skocpol et al., *supra* 25.

²⁹Anonymous, *supra* 11.



CONCLUSIONS AND LESSONS LEARNT

The campaign had a consistent narrative threading through its different strategies and tactics. Analyzing how the campaign framed this narrative is insightful in understanding the framing of policy change demands more broadly. The primary argument against the deal was grounded in local concerns. Those included Jordan's energy independence, political sovereignty, economic choices, and environmental protection. The campaign highlighted the impact of those issues on citizen's daily worries, such as increasing electricity prices, corruption, and national debt³⁰. It is notable that the logic of this argument was embedded in the campaign's name, <غاز العدو احتلال>, which when translated explains that importing gas from Israel renders Jordan under occupation. Historically, most anti-normalization movements adopted the discourse of solidarity with the Palestinian struggle. However, the campaign reframed the issue from being solely one of 'Palestine solidarity' to an issue of 'imminent national threat.' This reframing, rooted in the local perspective, had an important impact on setting the narrative. One manifestation of such impact was the high degree of counter-preparation of the Mulqi government in re-orienting MPs³¹ to abstain from taking a stance against the deal under the pretext of 'best economic interest of Jordan.'³² As such, the counter-opposition attempted to justify the deal by inverting the frame put forth by the campaign. It is worth mentioning that the campaign was self-funded by contributions from the members of the coalition and did not receive any external funds. This factor may have contributed to the campaign's ability to remain independent in setting its strategies and narrative.

Finally, a key question remains unanswered. Despite the campaign's impact, the broad coalition it formed, and the unique approaches it spun, it was unable to stop the deal from being signed. The deal has not been nullified yet, and the outcome of the Constitutional Court process is still unclear. The question is: what more, then, does it require of local efforts, whether by civil society or otherwise, to substantively influence such a high-level policy involving high-stake considerations of foreign relations and global actors?

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³⁰Ahed, *supra* 12.

³¹Members of the 18th Parliament elected in 2016.

³²Anonymous, *supra* 11.

Palestine Chronicle. (2019, April 26). "US to Announce 'Deal of the Century' after Ramadan". Palestine Chronicle. Retrieved on May ,12 2019 from <https://www.palestinechronicle.com/us-to-announce-deal-of-the-century-after-ramadan/>

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ACRONYMS AND ABBREVIATIONS

EU	European Union
LOI	Letter of Intent
MP(s)	Member(s) of Parliament
NEPCO	National Electric Power Company of Jordan

INTERVIEWS

Hala Ahed (2019, May 12). Lawyer and human rights defender. Personal interview via video chat.

Anonymous (2019, Jan 25). Journalist and independent youth activist. Personal interview via video chat.

BREAKING THE MOLD PROJECT

In mid- 2018, the “Civil Society Actors and Policymaking in the Arab World” program at IFI, with the support of Open Society Foundations, launched the second round of its extended research project “Arab Civil Society Actors and their Quest to Influence Policy-Making”. This project mapped and analyzed the attempts of Arab civil society, in all its orientations, structures, and differences, to influence public policy across a variety of domains. This research produced 92 case studies outlining the role of civil society in impacting political, social, economic, gender, educational, health-related, and environmental policies in ten Arab countries: Lebanon, Syria, Palestine, Jordan, Egypt, Morocco, Tunisia, Yemen, and the Arab Gulf.

Over two dozen researchers and research groups from the above countries participated in this project, which was conducted over a year and a half. The results were reviewed by an advisory committee for methodology to ensure alignment with the project’s goals, and were presented by the researchers in various themed sessions over the course of the two days.

THE CIVIL SOCIETY ACTORS AND POLICY-MAKING PROGRAM

at the Issam Fares Institute for Public Policy and International Affairs at AUB, examines the role that civil society actors play in shaping and making policy. Specifically, the program focuses on the following aspects: how civil society actors organize themselves into advocacy coalitions; how policy networks are formed to influence policy processes and outcomes; and how policy research institutes contribute their research into policy. The program also explores the media’s expanding role, which some claim has catalyzed the Uprisings throughout the region.

THE ISSAM FARES INSTITUTE FOR PUBLIC POLICY AND INTERNATIONAL AFFAIRS AT THE AMERICAN UNIVERSITY OF BEIRUT

The Issam Fares Institute for Public Policy and International Affairs (IFI) at the American University of Beirut (AUB) is an independent, research-based, policy oriented institute. It aims to initiate and develop policy-relevant research in and about the Arab region. The Institute is committed to expanding and deepening knowledge production and to creating a space for the interdisciplinary exchange of ideas among researchers, civil society actors, and policy makers.

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