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A Study of the National Action Charter, as a Contention between Government and People in Bahrain

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Abstract: *There are many factors that have caused a contention between the government and the people in Bahrain. The most important of the factors is the "National Action Charter". The historical factors and the interference of regional and trans-regional countries and the kind of attitude that al-Khalifa has towards the majority of Shi'a in Bahrain, is itself a factor in exacerbating the contentions. Nonetheless, what has been caused internally in crisis between the people and the government in Bahrain is the National Action Charter. The Bahraini government claims that the approval of the charter by the people in 2001 led to the fulfillment of the demands of the people while the people believe that the National Action Charter has been designed to deceive the public. In this research, the author is going to study the most important articles of the National Action Charter with a descriptive-analytical method and reference to library resources and to answer this question, does the government's actions are accordance with the Charter.*

Keywords: *Bahrain, al-Khalifa, 14 Feb. Bahrain Movement, Religious Identity, National Action Charter.*

INTRODUCTION

Until 1999, Bahrain was an Emirate, therefore, its ruler was "Emir". After the death of Sheikh Isa bin Salman, a former Bahraini's emir in 1999, his son, Hamad bin Isa came to the power. In 2000 he spoke out about a comprehensive political reform plan. He stated that he wants to reinstate former parliament and constitution which are abolished in 1973, because the best period of Bahrain was at this time when people faced a fair parliament and constitution (Al-Rashed, 2017). Hamad bin Isa said he wants to share the people in government and turn Bahrain into a constitutional monarchy (Al-Murshid & Al-Khawaja, 2008, p. 57-58). He introduced his reform plan in the form of a national charter entitled "Mithaq al- amal al-Watani". According to this charter, the people will gain ideal privileges, so they sought to approve in 14 Feb. 2001. In 2002, the new king of Bahrain, Hamad bin Isa, created a new constitution without knowing the people, and made himself "King" (Al-Rashed, 2017).

According to this constitution, Bahraini government system shifted to the kingdom from the emirate, and its ruler changed from Emir to King. According to the articles of this constitution, the king was the absolute power of the country. He also, with a commentary on the National Action Charter, virtually removed the people, especially the Shi'a from politics and government, through the policy of "removing". He believed that Shi'as were considered a strategic threat to the regime (Bahrain Spring, 2012, p. 502-503). Today, the content of the National Action Charter is opposed by people who are not affiliated with the government. The leadership of this

opposition was by the Shi'a, because the religious identity of the Shi'ite school believes that acceptance of this charter is as the acceptance of tyrannical oppression. Therefore, Muslims, especially the Shi'a and Non-Muslims groups' even secular groups, have opposed it, because of the cruelty of the content of this charter. To better understanding the causes of this contention, we will study the content of the charter and see that does this charter conform to the religious identity of the Muslim majority of the Bahraini people or not.

Significance of Study

This research is aimed to find out this hypothesis that what al-Khalifa does is contrary to the articles of the National Action Charter and the religious identity of the majority of Bahraini people, especially the Shi'as.

- **Research Questions**

The following questions are the main question that this paper seeks to answer.

1. Does the government's actions are accordance with the National Action Charter?
2. Are the actions which al-Khalifa does contrary to the articles of the charter and the religious identity of the majority of Bahraini people?

To answer the proposed research questions, the content of the National Action Charter and its articles are studied meticulously.

- **Corpus**

The National Action Charter is the main corpus of this investigation and the analysis of political scientists about Bahrain and the 14 February Movement made for us more understandable facts about the subject.

Results

Theoretical Framework

Peaceful coexistence in a country requires a lasting interaction between the government and its people. Stable and constructive engagement in a country occurs when the government recognizes and respects the values of the people, as well as people who are obedient to the government, as a provider of security and the needs of the country. The obedience of the people to the government and the obedience to its orders need a prerequisite by government, that is, the values of the people are recognized and respected by the government. Values such as respecting for race, ethnicity, religion, class, gender, color, etc., which constitute the identity of each human being, are important for any nation. Each of these concepts alone has a significant effect on the relationship between the government and the people (Amir Abdollahian, 2011, p. 137), but when they all mean in the form of "identity," they will have much more impact than the past. The identity of each nation is a matter of political geography, as well as its origin and survival. Individual belonging to society and the special geographic environment, in addition to the sense of belonging to religion, race, color, and ethnicity, give "a special identity" to the person and society (Craig, 1965, p. 65). Within the framework of "a special identity", language and religion are also important elements of the identity of nations. From the standpoint of identity, the relationship between politics and religion in West Asia is more than anywhere else in the world, so one of the most influential factors in creating domestic and foreign policies in this region is religious identity; on the other hand, the separation between church and state, as it was shown in western countries, did not occur in the Middle East generally, and many regional rulers have a religious leadership, so without regard to religion, understanding of political and social trends in the West Asia region is far more difficult (Amir Abdollahian, 2011, p. 137).

Some believe that the nation and national identity are based on constructive narratives, in which nations continue to remember memories and their perceptions of their identity are based on narratives that are raised by memory. Raymond Hinbush believes that the acquisition of identity to create a desirable normative government in the Arab or Islamic country has affected Middle Eastern international affairs by borrowing from Pan-Arabism or Pan-Islamism (Hinbush, 2007, p. 270). In Bahrain, the majority of Bahrainis have built their own national identity from constructive religious narratives, since they are the majority of the Shi'a and

majority Muslims, so attention to the religion and religious values in the analysis of the differences between the government and the people in this archipelago is necessary, but is obligatory.

The religious identity of the majority of Bahraini people

Religious identity is one of the indispensable identities of the Bahraini people. Mr. Mohammad ibn Jarir Tabari, in the book "*History of the prophets and the kings*," states that many people have lived in Bahrain before Islam. After the advent of Islam, Prophet Muhammad (PBUH) in the sixth year of the hijra sent 'ala' al-ḥaḍrami to Bahrain to inviting Bahrain's dwellers to Islam or to pay the royalties (Abdul Rahman, A. A. 2000, p. 134-135). After the invitation of 'ala' al-ḥaḍrami, all of that population came to Islam, and the administration of that area was also handed over to 'ala' al-ḥaḍrami by the Prophet's (PBUH) command. Bahrain has been one of the most important centers of the Shi'a community since the beginning of Islam. (Abolfazl, A, 2012).

The presence of the great Bahraini region has made it one of the center of gravity of Shi'a, due to its historical origin and Shi'a multiplicity in Bahrain, which is used by non- Shi'a inhabitants of the Persian Gulf, the word "al-Bahrani", which means "Shi'a". Bahrain mosques were the first mosques to be held in Friday prayers after the city of Medina. There is also a lot of historical evidence that the love of the Prophet (PBUH) and his charisma has come to the hearts of the people of Bahrain and continues and exist in the heart of the Shi'a of this country up to now. The people of this archipelago were known as the Shi'a religion from the first century AD. There are many historical monuments of prominent figures about the Shi'a of the people of this region (Salman, 2017, p. 38-39).

According to the Bahraini Constitution of 1973 and 2002, the official religion of Islam and the official language is also Arabic, so the Islamic Sharia is the main source of legislation. According to this law, religion is the main factor in the division of the citizens of this country (Al-Murshid, 2014, p. 19). According to the statistics of the Truth Finder Committee Bassiouni issued in December 2011, the percentage of religious composition of the Bahraini people is as follows (Salman, 2017, p. 44):

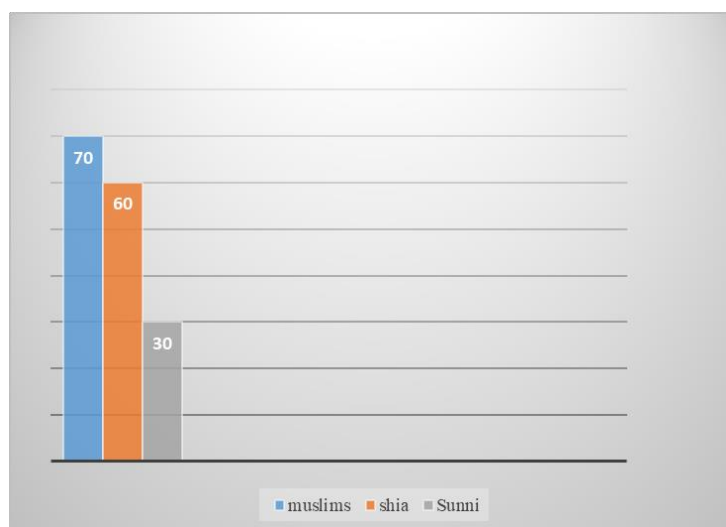


Figure 1: The Composition of the Muslim Population

There are also other influential sub-identities in Bahrain, which, along with national identity, create a common unity among the people, but the factor that has led to the religious identity being examined is the discrepancy between the religious identity of the Bahraini government and its people. Indeed, religious identity plays a very important role in the issue of political and social conflict with the state (Al-Murshid, 2014, p. 30). On the other hand, the religious issue has become one of the most striking problems of the Bahraini community. Most of these problems come from the "National Action Charter." Following the approval of the charter, the Bahraini government was able to shirk Shi'a with greater authority over Bahrain's government and politics, as the

Bahraini regime believes that the Shi'a are a strategic threat to the country. Therefore, by approving the national action plan by the people, he could add to the focus of his political affiliation and, by his special interpreting from this charter, would remove Shi'a from power (Bahrain Spring, 2012, p. 507).

National Action Charter

On March 6, 1999, after the death of Sheikh Isa bin Salman, his son, Hamad bin Isa al-Khalifa, who was the crown prince of Bahrain since 1964, became the emir of Bahrain. The United States also supported him to become the emir of Bahrain as soon as possible. At the beginning of his life, Hamad bin Isa was able to bring many people together by giving promises like political and economic reforms and the elimination of existing discrimination against Shi'a. Sheikh Hamad discussed with many leaders of Bahrain's political movements in jail, and by making some reforms such as allowing political exiles to enter the country and the release of 1,500 political prisoners, he was able to convey the satisfaction of party leaders and movements as people's representative (Al-Sanadi, 2017).

Hamad bin Isa was able to enjoy greater acceptance of his father in Bahraini society by gaining approval from Bahraini political leaders. He made some changes in favor of the Shi'a to fulfill his promises, and also gave freedom to the opposition newspapers, human rights groups and NGOs. He also spoke with the political leaders in prison about the charter and its benefits, and was able to assure them of the useful and safe nature of the National Action Charter. Some of the provisions of the National Action Charter are as follows (Al-Daghagh, 2017):

- Establishing a constitutional monarchy. A constitution with democratic provisions, such as granting many freedoms and rights to people, such as the right to free elections, the right to a parliament.
- Freedom of many political prisoners.
- Creating three executive, legislative and judicial institutions.
- People are the source of government choice.
- The head of the executive branch is elected by the people.
- Unconditional release of political prisoners and exiles.
- Granting a birth certificate to the floor without an identification card.
- Equality between all citizens by abolishing racial-race structures.
- Abolishing the National Security Act.
- Restating the parliament 1973.

After giving his high promises to the public, he determined the February 14 and 15 for the public referendum for a National Action Charter (Al-Naimi, 2000, p. 20). The people of Bahrain, who, after years of deprivation of their rights, were enjoyed with the Bahraini rulers' proposals, decided to accept and ratify the charter. This charter, also known as the "National Peace", led to the reliance of people to the Bahraini regime and the al-Khalifa family. The National Action Charter was voted on February 14 and 15, 2001, with 98.4% of the votes cast for over 21 years old, and was launched at the same time (Hashemi Nasab, 2010, p. 22). One year after the approval of the National Action Charter, the emir of Bahrain showed a new constitution off (Al-Rashed, 2017). The constitution, which was unveiled in the middle of the anniversary of the enactment of the National Action Charter, had many amendments to the 2001 constitution. Under the new constitution, the legislature was divided into two parts:

- Consultative Assembly
- Parliamentary Assembly

The members of consultative assembly are 40 representatives like parliamentary assembly. All 40 members are chosen by the king of the kingdom. The elected representatives of the parliament, when they discuss a bill and ratify it, this passes to the consultative parliamentary. If this proposal is rejected by consultative assembly, it will be re-examined in parliament and if it is accepted, it will be submitted to the government and if the government agree, it will be presented to the king and if the king accept it, that law will be enforced! Whenever

they are approved by one of these supervisors, they will not be executed. There are also regulatory barriers to supervision (Al-Sanadi, 2015).

This new structure of legislative institution led the opposition to boycott the election because they consider the elections to be unconditional and formal, and the main roles that parliamentary parliaments have done is to legislate and monitor. The two houses were apparently equal in terms of competences and powers, but the speaker of the consultative assembly also had the right to lead the elected parliament. The 2002 constitution reduced the role and participation of people in the administration of the country. The Bahrainis had two paths ahead of the illegal constitution of the government:

- A. To accept this situation and maintain political positions as a relatively better position rather than the past.
- B. Resisting against the constitution in which unauthorized and unauthorized changes were announced by the ruler, as this meant a return to the promises and values promised by al-Khalifa, such as the democratization of Bahrain.

Sheikh Hamad bin Isa al-Khalifa before the events of February 14, 2011 has been trying to calm down the inhabitants of Bahrain's archipelago by providing some convenient facilities for them. The facilities that the government provided to its citizens were such as schools, universities, free medical centers and financial assistance for marriage. He tried to bring the various strata of the society together with the government by paying subsidies to the scientific, cultural and artistic centers (Bazdar, 2010: 54). Some of the King's legal authority in the new constitution is as follows (Hashemi Nasab, 2010, p. 22):

1. Direct oversight of the government through appointed ministers and accountability of all ministers to the king.
2. Appointment and dismissal of the Prime Minister by issuing a royal decree and the appointment of ministers on the proposal of the Prime Minister.
3. Appointment and dismissal of members of the consultative assembly.
4. The supreme command of the armed forces.
5. Presiding supreme judicial council.
6. Appointment the judges on the proposal of the Supreme Judicial Council.
7. Granting and reinstatement of state and organization degrees.
8. Having the right to sign or not to accept parliamentary approvals.

According to the new constitution of al-Khalifa after the national charter, the Bahraini regime became neither a constitutional monarchy but an authoritarian government in which all the powers were held by the king. All of these changes took place after the approval the National Action Charter. This charter is so important that some of the Sunni political currents consider the approval of it as a turning point in the history of Bahrain (Salim Zarnoqah, 1995, p. 1). To better understand this issue, we look at the most important paragraphs of this charter.

Critical Review of the National Action Charter

- **Paragraph 3 of this Charter states:**

"Bahrain has been the first defender of the religion from the very beginning, having accepted the magnanimous Islamic invitation and entering into the religion of God with due diligence and perseverance, and carried the invitation through the waters off the Persian Gulf to the Indian land. Bahrain assets, meanwhile, became a source of Muslims costs"(National Action Chart, 2011, p. 1).

- **In the second chapter, the third part of this charter is also stated:**

"The religion of the government is Islam and Islamic law is the main source of legislation".

According to the two above paragraphs, Bahraini king, Hamad bin Isa also admits that Bahrain was the cradle of Islamic civilization, and the Bahraini people have converted to the Islamic religion since the Prophet's invitation. While other sources and books indicate that the majority of people in this country have Shiite religion, so they should be an environment of a state of Islamic environment and be allowed to do religious activity. While al-Khalifa not only hampers the Shi'a in religious activities, but also has devastated Shi'a mosques from the 90's to now (Al-Shahabi, 1996, p. 215) and detained many scholars and Shia clerics. The detention of clerics since the era of the past kings to this day have been commonplace, but have increased in contemporary times, as Bahrain today has the largest number of clerics in jail (Al-Saleh, 2015, p. 64).

By limiting the Shi'a religious activities, the detention of clerics and attempts to marginalize them, al-Khalifa has been able to easily promote immoral activities in order to earn revenue. Al-Khalifa's disregard for religious concepts and values, and the transformation of Manama into the eighth corrupt city of immoral affairs in 2003 and the second-most corrupt country in 2014, has led the country, among the people of the Persian Gulf countries to "Paris the Gulf" and among the people of western countries, to "Hawaii in the Middle East" (Smart Travel, 2017). Al-Khalifa has built large hotels and centers of prostitution for the maximum productivity of travel by citizens of the Arab countries, especially the Persian Gulf States to Bahrain. The city is ranked among the world's most top-notch cities in providing illegitimate and immoral services. Most of the centers and hotels which offer illegitimate and immoral services are affiliated with al-Khalifa. Most of the Arab tourists come to Manama through "Fahad Bridge" to participate in the country's nightclub program (Slackman, 2011).

The unlimited activities of wine shopping centers, dance clubs, pubs and nightclubs are introduced as freedom in this country. In order to justify this situation for Muslims, al-Khalifa introduce it as one way of earning money for the country, while the income derived from these matters is illegitimate and forbidden from the point of view of the religion of Islam as the religion of the majority of the Bahraini people. And even if the revenues from these affairs are legal, all of these revenues will be paid to the al-Khalifa family, and no amount will be spent on livelihoods of the people or improving the society. Violations of religious values and the extension of corruption and prostitution in Bahrain have provoked the revival of its popular movements. This is while the noble people of Bahrain have long been religious people. This belief in Islam was such that the Shi'a of this country long ago mourned during Muharram, the lamentation month of Shi'a (Al-Murshid, 2014: 31).

The closure of religious centers, Shi'a cultural institutions, the prevention of scientific activities of religious scholars, their extensive detention (Al-Mahfoodh, 2015: 87), being under the supervision of the government, the destruction of mosques, the collection of religious symbols from the community, the spread of corruption and prostitution, etc., is one of Bahrain's most important cultural and religious challenges (Amirdehi, 2011, p. 137). Formerly, Bahrain's popular movements have always had an Islamic atmosphere and the flags of Imam Husayn, 'Ali, or Zahra were constantly flooded in street demonstrations and mourning ceremonies. Covering the coffins of the martyrs with the flag of "Oh Hussein" and performing the Friday prayers and congregations are a clear indication of the religious and religious identity of the majority of the people in Bahrain (Abtahi, 2013, p. 171).

The actions of the Bahraini government outside of the religious and ethical framework are a kind of confrontation with the religious identity of the majority of Bahraini people, so the challenge of the religious identity of the people of the country is one of the most important positions of people and government in Bahrain.

- **In the first chapter, the first part, the concept of justice, is the first issue raised in the National Action Charter, which states:**

"Justice is the basis of government, and equality is the rule of law, freedom, security, peace, knowledge, social cohesion, and equality of opportunity among citizens are all elements of society that the government guarantees and assumes".

- **In the first chapter, the second part of the title has been stated:**

"Personal freedoms are guaranteed, and equality between citizens and justice and equity of opportunity, all of this, are the pillars of society. Citizens are equal in rights and duties to the law, and no difference is made between them because of their gender or origin or language or Religion or belief".

This was stated by the king in his first speech addressed to the people one day after he took control of power.

Annuling the discrimination between Shi'a and Sunni and the suspension of the policy of "al-Tajnis" has been one of the fundamental demands of the Bahraini people in the past and present (Al-Bandar, 2014).

Following the policy of tribal discrimination, Bahraini Shi'as, who are considered indigenous people, are formally fourth-class citizens and practically fifth-class Bahraini citizens. The al-Khalifa family is the first-class citizens, the Sunnis are the second-class, foreigners who have gained Bahraini nationality are third-class and the Shi'as are fourth-class citizens. Some also believe that foreigners who have gained Bahraini nationality and are called "al-Mojannasin" are fourth-class citizens and Shi'as are fifth-class citizens (Salman, 2017, p. 201; Beygi, 2016).

Following a policy of tribal discrimination, Bahraini Shi'as are deprived of many social and occupational services. Today, the Shi'as have been deprived of some of the privileges they enjoyed in the past, for example, 4 former ministers were formerly elected among Shi'a, but today no minister is elected among Shi'a (Salman, 2017, p. 206). The Bahraini government is seeking the policy of al-Tajnis trying to bringing the fanatics and uneducated Sunni people from abroad and giving them Bahraini ID and citizenship to reach 40% of the Bahraini Sunni population in 2030. According to Article 6 of the 2002 constitution, the King has the power to freely grant Bahraini citizenship to anyone who desires. King Hamad used this article and is granting citizenship to Sunni people in Pakistan, Afghanistan, Jordan, Syria, India and some African countries. This has led to the presence of 30,000 Pakistani Sunnis with Bahraini nationality today, and 5,000 more are waiting for Bahraini ID (Salman, 2017, p. 168-169). These acts of al-Khalifa are a clear indication of the negation of justice at all levels of social, economic, religious and political affairs.

Returning to Islam and reviving Islamic tradition and implementing justice and denying all oppression of the main demands of the people of Bahrain, especially in recent years. Sheikh Saeed al-Nouri, a leader of the "al-Wafa Islamic Party" in Bahrain, called for social justice in the life of the Bahraini people and called for people to be the source of government apparatus, during the military trial at the al-Khalifa's military tribunal. He noted the realization of social justice as one of the needs of the Bahraini community and the demands of the people by mentioning various corruption in the al-Khalifa government (Al-wafa Islamic Party, 2016, p. 105).

- **In the first chapter, the second part, in the field of security and judicial affairs is as follows:**

«2: Personal freedom is guaranteed in accordance with the law. Arresting, imprisonment, pursuit or restriction of a residence or imprisonment of freedom at the place of residence or displacement is only possible under the law and under the control of the judiciary. 3: Physical and psychological torture of prisoners, or inhuman or degrading treatment or punishment of human dignity, under any circumstances is not permissible. Any confession or a verdict that is admitted under torture or threat or deception is void. 4: There are no penalties other than in the law framework. No punishment is permissible except for other acts committed by the wrongdoer and the law is punishable by the perpetrator. 5: The punishment and accusation of the accused person is unfounded and is innocent until proven. Based on the fair trial, all guarantees are provided to him for the right to defense at all stages of investigation and trial in accordance with the law. A lawyer should be considered for any accused, with his consent, take charge of defending him. 6: Residential areas are safe, therefore, it is not allowed to enter and search without the permission of the residents but in the absolutely necessary manner, the law under the jurisdiction of the judiciary will allow this" (National Action Charter, 2011, p. 11-12).

These articles of the National Action Charter contradict with the actions of government's security forces in 2011. The Bahraini security forces violated all the provisions of the charter in suppression the February 14 national movement. The leaders of the February 14 movement in al-Khalifa's military tribunal described the

behavior of the regime's forces. These individuals, who have high social acceptability in Bahraini society, have argued that al-Khalifa was deprived of the minimum human rights during Bahrain's detention in jail. Some of the oppression inside the prisons, which happened to these people, is as follows:

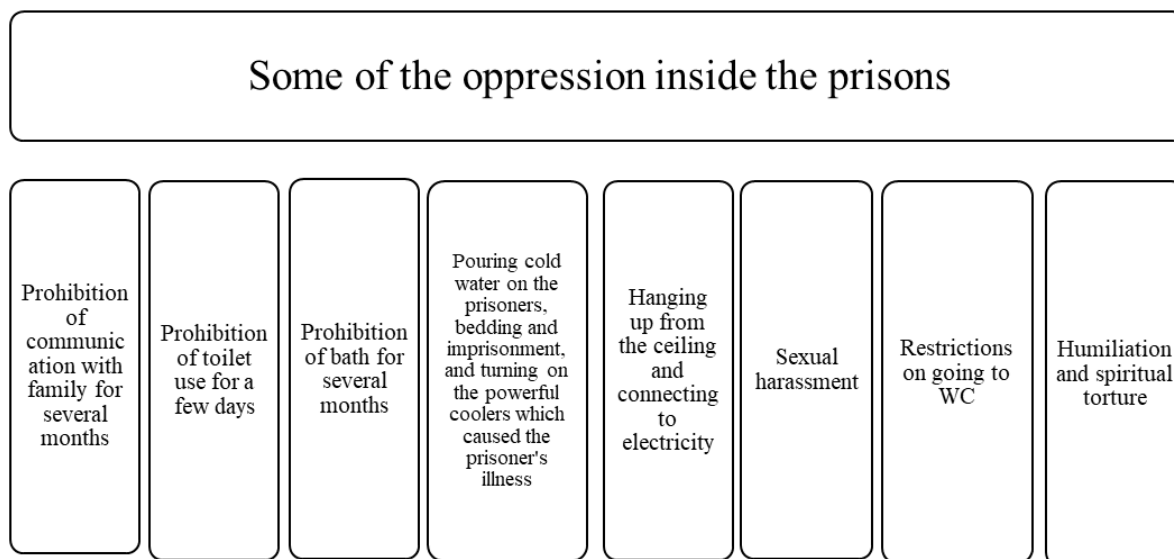


Figure 2: Some of the Oppression inside the Prison

This kind of behavior has occurred to the Bahraini people's popular leaders, not ordinary people. The behavior of the forces of the government with ordinary people and ordinary citizens is much more intense. The Bahraini prisoners have introduced themselves as indigenous residents of Bahrain's archipelago whom are dominated by a non-Bahraini family.

They consider the regret of oppression by non-Bahraini mercenary forces brought to Bahrain by al-Khalifa from other countries (Al-Saleh, 2015, p. 89; Bahrain Spring, 2012, p. 187,530). Those arrested leaders are introduced as genuine, cultured and educated people who have come to the forefront of a democratic, justice-based country demand. Many of the leaders of the February movement, who were Shi'a, introduced themselves as the majority of Shi'as dominated by the Sunni government, which even oppressed Sunni moderate people (Al-Sanadi, 2017, p. 51, 59). Because the al-Khalifa regime even detained and tortured some Sunni reformist leaders (Al-wafa Islamic Party, 2016: 249; Al-Matruk, 2017, p. 20,37,44,80,99,184).

Al-Khalifa security forces, in contrast to paragraph 5 of this section, detained them for more than six months without being charged with crime evidence, and were not tried for up to six months. However, if the prisoner is not tried for up to three months, he is innocent and must be released (Al-Sanadi, 2016, p. 274). The security forces raided to the house of accused leaders and went inside and used to take personal property without any judicial order (Al-wafa Islamic Party, 2016, p. 121). This is while according to the sixth paragraph of the second part of the first chapter, the security forces should have interrogated. According to seventh paragraph of this section of the national action chart, the forces must observe all legal points in the inspection, detention and interrogation while these points have not been respected by any of Bahrain's prominent social and legal figures, such as the head of the Bahrain Center for Human Rights, Abdulhadi al-Khawajah, what happens to ordinary people.

- **Freedom of expression and publication, the topic of the fourth section of the first chapter, which is stated in the charter, is as follows:**

"Every citizen has the right to express his or her opinions through speech, writing or in any manner whatsoever, and under this law, the freedom of scientific research and the freedom to publish, and journalism and printing is allowed in law framework".

The above privilege given to people in the 2002 in National Action Charter was violated after the ratification of the charter. The reason is also the fear of al-Khalifa family from the media. The government's fears of media activists, or even cyber activists, have caused to shutting down of many newspapers, news and many cyber activists are being arrested. The extreme limitation of the Bahraini government against the activities of domestic and foreign journalists and media has led the country to be considered the second most dangerous country for journalists by Without Borders Organization's report. According to the this organization's reports, 30 Bahraini journalists were arrested, abused and tortured in 2011. (Bahrain Spring, 2012, p. 198,203,207,447).

- **In the field of work and job opportunities, seventh section of first chapter states:**

"It is obligatory to work and to have a job on any citizen because human dignity requires it and it is obligatory for the good of the public, and every citizen has the right to choose his type of work according to public order and ethics. The government focuses on the creation of job opportunities and the observance of justice under its conditions for citizens in their national development plans. The possibility of compulsory labor is not permissible unless whenever it is determined by law and requires a national and just wage. The law regulates the relations between the worker and the owners of labor on the basis of economic principles, observing the rules of social justice".

This article of National Action Charter is so different with what is happening in the reality. The reform is one of the serious demands of the people. Despite this fact that Bahrain is one of the countries where incomes of citizens are high, but the inappropriate distribution of national wealth, the misguided and targeted policy of corruption, financial and administrative corruption, discrimination policy, has led to a few very rich and many others deprived and become poor. Also, the truth founder committee of Mr. Bassiouni, also states in paragraph 54 of his report that the distribution of wealth in Bahrain is unfair, and this has led to more poverty than Shi'as (Bassiouni, 2011, p. 36).

The discovery of oil and the arrival of several industries into the economy has hit the traditional economy, such as agriculture, fishing and pearl and shipwreck (Al-Akri, 2013). With the establishment of factories and some industrial centers, a job opportunity was provided to the Sunnis and al-Mujensin, but the Shi'as continued to be deprived of their activities in these centers in proportion to their percentage of population. This has led to an increasing in poverty among the Shi'as, some of the Bahraini Shi'a people who beg in the markets and the streets of Bahrain and near the mosques. This has made the people of Bahrain famous for "Hondud al-Khaleej"(Salman, 2017, p. 159-161). Inequality in the distribution of jobs exists not only in the working class, but also among the educated Shi'as population.

Bahraini Shi'as, who have relatively higher educational and educational levels than other groups and tribes in the country, are deprived of jobs in positions that are highly dependent on knowledge. This is even more evident in some security and justice businesses. The security jobs of this country are largely reserved for the fanatics Sunni. This situation is taking place in the judicial profession in a different way, as most legal professions are brought to systemic or Sunni relatives. The situation in 2014 has been as follows (Salman, 2017, p. 147-149):

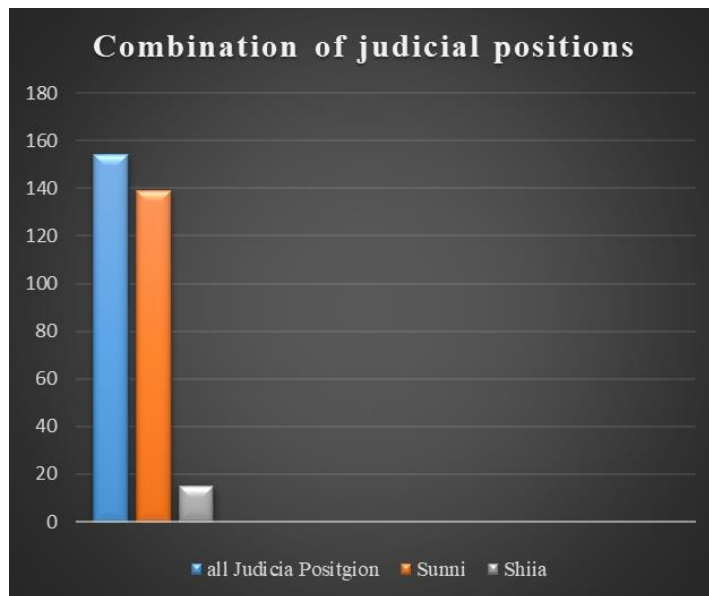


Figure 3: Composition of Judicial Positions among Sunni and Shiia

- **The second chapter of Bahrain's National Action Charter talks about the governance structure. The first part of this Charter states:**

"The king is at the top of his rule and his authority is reserved and should not be taken into account. He is the supreme commander of power and symbolizes the stability of the country and the fundamental foundation upon which the Bahraini regime relies. The king exercises his power directly through his ministers. Ministers in front of the king must be accountable, and he who sets the prime minister and ministers and dismisses them from the posts in accordance with the power expressed in the law".

- **The third part of this chapter also states:**

"People are the source of all government agencies and offices. The governance structure in Bahrain is democratic. Leadership belongs to people and people are the source of all government agencies. The leadership of the people in the country is explicitly mentioned in the constitution".

- In the third part of this chapter, people are known as the source and factor of choice and influence on government positions, while the king in the first part of this chapter identifies himself as determining the structure of government and his cabinet. In fact, with this measure of the king, practically, people do not have a role in the government, because the head of state, which is the prime minister, is appointed by the king. Other ministers are also elected by the king, no by elected parliament, as a representative of the people. Even if the elected parliament is responsible for the appointment of ministers, in effect, with the structure created by the king in the legislature, he would again choose ministers, since the legislature, in addition to the Parliamentary Assembly, has a consultative assembly. The members of the consultative assembly, with 40 seats and the number of elected representatives, are directly elected by the king. According to the King states, the consultative assembly has a consultative role in the legislature, but in the realm, it manipulates the decisions of the elected parliament.

The consultative assembly is one of the issues of disagreement between the people and the government, in such a way that Bahraini religious and political leaders, including Sheikh Abdul Amir al-Jarri, Ayatollah Sheikh Isa Ahmed Qasim, Sheikh Ali Salman and Professor Abdul Wahab Hussein, in 2002, spoke with Hamad bin Isa about consultative assembly. He assures them that consultative assembly do not advise and interfere in the laws and bills of the elected parliament (Salman, 2017, p. 190-191). Among other issues that are being challenged by the people in this framework is Khalifa bin Salman's prime minister for nearly five decades. He

is the uncle of the king, since Bahrain's independence in August 1971, is the prime minister of Bahrain. One of the demands of the people, especially the al-Wefaq party, is his removal from the office of the ministry. According to the first part of the second chapter of the National Action Charter, the king has the power to dismiss and install the prime minister. Bahrainis demand from the king is using his power and dismissing him.

- **Part Sixth Chapter two deals with the rule of law and the independence of the judiciary. It states:**

"The rule of law and the independence of the judiciary are the foundation of governance in the state. The independence of the judiciary and its safety are two basic guarantees for the protection of the law and freedoms. The government is working to complete the judiciary that is included in the constitution and determine the judicial orientation that is specific to conflicts related to the basic laws and regulations and the public prosecutor's office".

Society elites, especially politicians and lawyers, are highly skeptical about this system, as they are claiming that there is no rule of law in Bahrain and that the judiciary is not independent, based on international legal rules and the structure of democratic countries. The "Political Tribunal" is a phrase that the leaders of the 14 February imprisonment have repeatedly repeated in the al-Khalifa military court (Bahrain Spring, 2016, p. 11,141). These leaders believe that the judiciary system is totally dependent on the government and the verdicts are also quite political. These individuals point out to the disproportionate nature of the allegations, offenses and verdicts issued by the court. (Bahrain Spring, 2012, p. 356).

- The third chapter of the national action chart deals with economic matters and the plans and actions of the government. In this regard, the subject that has been criticized by the overwhelming majority of the Bahraini people. In the first and second, third and fourth sections of the third chapter, the National Action Charter states:

➤ **First**

The Principle of Economic Freedom:

"The economic system of the Bahraini government, based on an individual initiative, liberates capitalism in investment and mobility, with the support and emphasis on the role of the private sector in resource development and the activation of the economic engine".

➤ **Second**

Private Property:

"Private property is inviolable. Everyone has the freedom to seize the legal limits of his property. Seizure of private property is not permitted except for general interest purposes. The scope and the manner in which it is determined by law".

➤ **Third**

Economic Justice and Balance in Contracts:

"Private capital and labor ownership are the rights of every human being. The law regulates how it is used and used in accordance with the economic foundations and the principle of social justice. The rules that guarantee the balance between the parties of production as well as the balance between contractual relationships is a rule".

➤ **Fourth**

Variety of Economic Activities and Resources of National Income:

"The Bahraini government was one of the first Arab governments in the Persian Gulf region, which aimed to diversify economic activities and sources of national income. From the beginning of not relying on a source of income, it is intended to ensure that the people of the country dignify life in the future and to prevent the global economic instability".

Many conflicting measures have been taken since the issuance of this charter up to now (Tasnim News Agency, 2016). This is while the government has given people the promise of private property. In relation to other parts of this economic affair, the Khalifa family, especially the prime minister, Khalifa bin Salman, have been tried

to buy property at a low price, or given the difficult conditions of construction, to getting bribe. Khalifa bin Salman has always asked investors who are planning to construction in Bahrain to account for 50% of the project. This behavior of Khalifa bin Salman, that had reached its peak in his youth, made the Bahraini people call him "Mr. Fifty-Fifty" and "Thief of Estate and Land"(Al-Tamimi, 2012 & Bahrainonline, 2017).

Khalifa bin Salman thus has a lot of wealth for himself (Shia Saudi, 2011). This behavior of al-Khalifa is known in all of Bahrain because of such actions. One of these measures is the purchase of the largest financial and consumer complex in the Middle East, entitled "al-Murfa' al-Mali" with a total area of 380000 square meters, which Bahrain's prime minister, Khalifa bin Salman purchased from the owner, Abdul Rahman Mohammed Abdullah, at the price per Bahraini dinar (Al-Bahrain, 2013). This is while the cost of building the complex was \$ 1 billion and \$ 300 million (Financial Harbor, 2011). The Bahraini government in his section of the charter talks about the transparency and financial and administrative control of all government departments, while some funds, such as the "al-Momtalkat Investment Fund" and state-owned companies and industries such as "Gulf flight" and aluminum factory "Alba" is immune from the financial control of the elected parliament (Bassiouni, 2012, p. 36-37).

The government and the al-Khalifa regime give the land to everyone who desires. They try to get rid of many leaders of popular movements by giving them land and real estate as bribe (Red Line, 2017, p. 14:27-15:20). The current king has also built tremendous palaces in Bahrain and has also seized plenty of public land to expand its palaces. This has led to the protest of many elected parliamentarians. This family has not suffered this and has withdrawn Bahrain's wealth (\$ 900 million) to invest in land and property in London (Voice of Bahrain, 2017).

Conclusion

Many of the privileges listed in the National Action Charter, at first glance are an ideal proposal for the Bahraini people. The charter, dated 14 February 2000, was submitted to the referendum on February 14, 2001, and was effectively violated on February 14, 2002, with the unveiling of the new constitution, is the factor of contention between people and government. The al-Khalifa regime in this charter pledged people to form a constitutional monarchy and referred to Bahrain as a democratic country, while the process that it took is completely contrary to the provisions of the charter because in the regime of constitutional monarchy people share the political power of the country, while the policy that Hamad has already adopted is the policy of "dispossessing the people (especially Shi'as)" of power.

The king of Bahrain also mentioned the country as a Muslim country in religious affairs and the Islam will be the source of constitution, while the rulers of Bahrain, especially the two former rulers spent capacities and wealth of this small island making centers for fun of the Arab countries tourists. Al-Khalifa has even become the al-Hawar Island, which has huge gas reserves and has been in conflict with the Qatari government over the years for ownership of the islands to the touristic area for having fun. The prevalence of prostitution in the two kings of Bahrain is much higher than that of the former kings. In economic affairs, despite the fact that in the National Action Charter, plans have been made for the prosperity of the national economy, but the family of al-Khalifa in fact has seized all the wealth of Bahrain.

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