

YEARS OF STRUGGLE

The Women's Movement in Jordan



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YEARS OF STRUGGLE

The Women's Movement in Jordan

By Rana Husseini

Dedication

*For the women and men of this country
who dedicated their lives to fight for justice,
equality and real freedom*

*To my dear loving and supportive family:
My mother Randa, my late father Ahmed, my brother Moutaz,
my sister-in-law Soura Madani, and my nephew and niece Zayne
and Hanna*

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ABOUT FRIEDRICH EBERT STIFTUNG

The Friedrich-Ebert-Stiftung (FES) is the oldest political foundation in Germany with a rich tradition in social democracy dating back to its foundation in 1925. The foundation owes its formation and its mission to the political legacy of its namesake Friedrich Ebert, the first democratically elected German President.

The work of our political foundation focuses on the core ideas and values of social democracy – freedom, justice and solidarity.

The activities of FES Amman aim at promoting democracy and political participation, supporting progress towards social justice and gender equality as well as at contributing to ecological sustainability and peace and security in the region. FES Amman supports the building and strengthening of civil society and public institutions in Jordan and Iraq.

AUTHOR'S NOTES

When I was a teenager in the 1980s, I had simple dreams. I wanted to play basketball with my friends and represent my country by competing regionally and internationally. Unfortunately, this simple dream was constantly blocked by the basketball federation with its blunt discrimination against female players. The federation never believed in women's sports and therefore concentrated all their attention and support on the men's teams. When I grew older, I thought things would change for the better. But I was so wrong. I started seeing and living the discrimination on so many levels and I knew it was because I was a woman.

That is why I decided that I wanted to use my work to fight for women's rights. When I went back to Jordan from the US in 1993 after graduating from university, I immediately started working for The Jordan Times. I had one goal: to start from the bottom and find my way to the women's cause. However, the cause found me instead. My work entailed reporting about crime in Jordan and it followed that I found that many of the murders I came to report on were of women who were killed by their male relatives for reasons related to family honor.

Their killers were getting away with their crimes and receiving only lenient sentences, in some cases no more than a slap on the hand. This is how it all started and it continues to influence my professional pathway even today. I dedicated most of my career, with the support of my family, friends, editors-in-chief and colleagues at The Jordan Times, to reporting about the murders of women and the court verdicts handed to the men who committed them. My hope was to eventually direct the attention of decision makers and the public to this issue which was considered taboo.

I believe my strategy worked and, as a result, much has changed in Jordan with regards to the handling of so-called honor crimes by the courts and in fact by society at large. I think much of the credit goes to the heavy and serious involvement of the leadership of the country and the efforts of the women’s rights movement as well as other influential actors in society who have supported this cause since I started reporting on it.

Fast forward 25 years, I sense there has been a major change in attitudes towards women’s issues in Jordan from decision makers, government and society at large. Of course, the change is for the better.

Many laws have changed, new approaches have been formulated, including on how the justice system deals with crimes against women and in how the state provides safe houses and shelters for women and children fleeing domestic violence.

Change has also been witnessed on other levels, especially in terms of women’s ascension to senior and even leadership positions in multiple sectors. Frankly, some of these changes we are seeing now, I thought I would not witness during my lifetime. But it happened.

Of course, there are still gaps and there is quite a lot to achieve yet including how the education system tackles issues of equality as well as legislation that continues to discriminate against women such as denying the Jordanian nationality to children of Jordanian women married to foreigners. Both of these high priority causes, and others, have been tackled by the women’s movement over the many decades but it continues to meet resistance to its efforts for reform and equality.

This prompted me to write this book. I wanted to document all the changes that occurred in Jordan with regards to women’s rights over the past 20 years. This documentation, of course, pushed me to dig into the history of the country and to follow the work of the women pioneers who devoted much of their lives, sometimes publicly and sometimes secretly, to carve the road for us and for future

generations to come. I dug in my old notes, newspaper clippings, hundreds of papers and research papers that I have collected while reporting, taking part in local and international events, and within the hundreds of books in my library to identify material relevant to this project. I also relied on research papers and books written by many Jordanian historians, academics and activists. I interviewed dozens of Jordanian women and men who were involved in the activism work throughout history for analysis and testimonies.

I truly believe that understanding our history, political developments as well as the sacrifices made by many over the years is crucial for anyone who wants to learn more about the history of the people of this country and how things moved forward or backward.

Another important point to make was that I depended mostly on Jordanian academics, researchers, experts, former and current officials, activists, lawyers and figures from the women's movement in conveying the history of our country. One of my main aims of this book was to ensure that the information documented in this book is from Jordanian women and men to their peers.

At points, I was happy and smiling while reading about the tricks, strategies and maneuvering adopted by the women's movement since the 1950s to win their rights and make their voices heard. At other times, I felt disappointed and frustrated while reading about the barriers women faced and the attacks and rejections they endured, yet they continued to push forward with their demands.

But one thing is clear. The research for this book made me feel very proud with where we are today despite the gaps and work that still needs to be done. Looking backward in the way I did, made me realize that we have come a long way and that there is always hope at the end of the tunnel. Things will eventually change with the will of the people and with some patience and wisdom.

I would like to thank all those who supported me to make this book a reality. In particular, my gratitude goes out to the FES office in Amman, Jordan for providing me with the necessary support to conduct my research and for believing in this project. I am grateful that

the FES’ support will contribute to facilitating the delivery of important and historical information to the general public, for free, via the FES online library and printed copies of this book.

My gratitude also goes to all the experts, officials, academics and activists for giving me much of their time and oftentimes provided me with resources that helped me in my research and the writing of this book.

I am also grateful for the huge support I received from my friends and colleagues during my path of life.

I would also like to thank my dear friend Tamara Qaraien for her extraordinary support at various stages of this project.

Finally, I would like to thank my precious mother Randa Saifi-Husseini, my beloved brother Moutaz and my extended family for their support throughout this project and throughout my life journey.

HISTORY OF THE JORDANIAN WOMEN'S MOVEMENT

It has been almost 80 years since women in Jordan began their long journey of activism to achieve their equal rights as citizens. During that journey, they adopted different strategies to suit the political context of the times including lobbying, strategizing, protesting publicly whenever possible and even working in hiding and behind the scenes in order to further their mission, recruit supporters/ champions and make their voices heard on national issues.

It is important to shed light on the challenges and battles encountered by these women at that time whether it was discriminatory laws or political, societal and patriarchal norms that constrained and pushed back the evolution of the women's movement in Jordan and contributed to what many have come to describe as a back-and-forth battle with government sometimes and other conservative stakeholders at other times. To that end, it is equally important to trace the steps of some of the early pioneers of the 1940s & 1950s who led what many believe was a courageous and persistent campaign in order to lay the organizational foundation for the movement and set an ambitious benchmark for its demands. Early activists began their work by seeking to build a support network nationally and regionally. Through outreach activities and meetings, activists began to lay out the foundational vision for their activism both on the women's rights front as well as political activists. As they began to grow and expand their work and services, political events of the early 1950s forced them to close their headquarters and halt, at least pub-

licly, their political activities. This brought about a new reality for the women’s movement in Jordan where they were forced to become more clandestine about their political activities, effectively living what some have described as a “double life” at certain times.

Publicly, they continued with their charitable and humanitarian work. But behind the scenes, they were increasingly becoming involved in political nationalism activities. They were careful to balance their fear of declaring their political allegiances against taking part in street protests against the creation of an Israeli state in what was then British-mandate Palestine.

The Arab-Israeli conflict of those early years stretched from the 1948 creation of Israel to the 1967 six-day war during which Jordan lost the Jordan-administered West Bank to the new Israeli state. The political environment of those years influenced the organizational evolution of the women’s movement in Jordan as they seemed to be closely aligned to Arab nationalist and leftist political movements of the time.

The Jordanian government, fearful for the stability of the Kingdom, curtailed the evolution of the women’s movement, as part of its security grip on all forms of political organization, for fear of strengthening the hand of pro-Palestinian “liberation” groups which were heading into open conflict with the Jordanian regime. With the expulsion of Palestinian factions from Jordan in 1970, the regime was able to turn its attention back to the demands of the women’s movement, which by this time had split and dispersed only to reorganize around a more focused women’s rights agenda. From that point onwards, it became evident that achievements and gains for women were more tenable, although those continued to be impacted by the political developments. At times it was the women’s activism and persistence that won them tangible gains, while at other times it was the regime’s political will that awarded them the gains under pressure from international organizations or out of their own commitment to the advancement of women’s rights.

The next sections illustrate the journey to triumphs, gains and breakthroughs as well as the losses and continued challenges.

The Forties, Early Beginnings

In the 1940s, Jordan's policies towards women were described by scholars and researchers as being based on a patriarchal, social and legislative system that excluded women from the public and political scene.

From the first elections for the Legislative Council that were held during the period of the British Mandate (1921-1946), only males aged 18 or over had the right to vote.¹ However, this systematic exclusion did not stop women from becoming actively involved in the Kingdom's social and political life especially as the British Mandate over Jordan in the early 1900s encouraged a group of educated middle and upper-class Jordanian women to unite and organize around nationalistic causes including calling for a free and independent country.²

As a result, the first women's association was established in Jordan in 1944 under the name Women's Social Solidarity Society (WSSS), with support from the royal family's most influential women. The WSSS was officially established by Headmistress of Al Zahra' Elementary School Amirah Al-Shureiqi, joined by a group of schoolteachers and their friends. The honorary president of the new association - which declared providing care for children and other people in need as its objective - was wife of King Abdullah Princess Musbah (later Queen Musbah) Musbah bint Nasser (1884-1961) was the first Queen consort of Jordan.

In 1904 she married Prince Abdullah (later King Abdullah I) of Jordan and was given the title of princess. On 25 May 1946, Abdullah was proclaimed King of Jordan and Musbah became Queen of Jordan. Princess Zein Al-Sharaf, wife of then Prince Talal, was assigned the task of running it. Without an official headquarters, most meetings

¹ Amawi, *Against all odds – Jordanian women, elections and political empowerment 2001*, 26

² Dababneh, *The Jordanian Women's Movement: A Historical Analysis Focusing on Legislative Change*, 90

were held at its members' houses.³ Later as Queen, she played a major role in the political development of the Kingdom in the early 1950s. She took part in the writing of the 1952 Constitution which gave rights to women and enhanced the social development of the country. In 1944, she created the first women's union in Jordan.

Following the influx of Palestinian refugees into Jordan after the 1948 war, Queen Zein led national relief efforts to help tens of thousands of homeless refugees.⁴ The late Queen was also instrumental in establishing the women's branch of the Jordan Red Crescent Society in 1948, and throughout her life she tirelessly dedicated a great deal of time and effort to the Mabarrat Um Al Hussein Orphanage in Amman.

In December 1944, a group of women members of this association formed a delegation and traveled to Egypt to take part in the first Arab meeting for women. The meeting was organized by the Egyptian General Arab Women Federation and included Arab delegates from Iraq, Syria, Lebanon and Palestine. The Arab delegates selected the President of the Union of Egyptian Women, Huda Sha'arawi, as the head of the newly-formed Arab women's body. Sha'arawi was an Egyptian feminist and nationalist who established numerous organizations dedicated to women's rights and is considered the founder of the women's movement in Egypt. The delegates agreed on several recommendations to empower Arab women including achieving economic independence, equal pay, and the rolling out of social security policies in all Arab countries.⁵ Their demands on behalf of women grew consistently to include more controversial demands such as ending polygamy, amending the Personal Status Law (PSL), giving working women full six-week maternity leave and generally address articles that openly discriminate against women.

³ Jordanian National Commission for Women 2011, 90

⁴ Salti al-Tal, Introduction to Women's Issues and the Women's Movement in Jordan 1985, 120-121

⁵ Reviewing the Decade for Women in Arab Countries 1985, 8

In parallel to the women's agenda, delegates kept a focus on emerging political issues and the growing popular sentiment to achieve Arab unity. Among the demands made in that vein was a call for abolishing custom taxes between Arab states, making school education compulsory for all Arab citizens, and more political rights for Arab women across the board.⁶

In 1945, Egyptian feminist activists Sha'arawi and Amina Al Saeed visited Jordan and met with the Emir of Transjordan Prince Abdullah Bin Al Hussein (later to become King Abdullah of the Hashemite Kingdom of Jordan when the country gained independence from the British in May 1946) and asked for his support for the idea of forming a women's union in Jordan to be part of the Arab Women's Federation. The Monarch agreed, and the Jordanian Women's Union Society (JWUS) was established that same year. The JWUS, which was also headed by Princess Zein Al Sharaf, focused on increasing women's educational achievements, improving children's health, and helping the poor, refugees, and orphans. Activities were mostly holding meetings and seminars to raise public awareness, especially that of women issues, health, general welfare and children's needs.⁷

Historians point out that the strong bond between the first female lawyer in Jordan the late Emily Bisharat and Sha'arawi played a major role in the establishment of the JWUS. The two had met at various regional and international conferences on women, including the Arab Women's Conference in Cairo in December 1944.

According to some political activists, a public discussion on issues related to women and their rights in the Arab society and Jordan at that time did not exist. The general atmosphere concerning women's rights was very conservative and male chauvinistic.⁸

⁶ Introduction to Email Interviews, Current Challenges Facing the Arab Women's Movements 2003, 8

⁷ Al-Atiyat, The Women's Movement in Jordan: Activism, Discourse and Strategies 2003, 55-66

⁸ Hamarneh 2021

The Fifties, Marshall Laws and Secret Activism Work

The fifties initially picked up where the forties left off. Jordanian women activists were increasingly influenced by the political developments in neighboring countries and the increase in political parties’ activism in general and as a result increased their own political participation.⁹

Political parties were beginning to dominate the political scene in Jordan and the women’s movement started to play a major role within these parties and in parallel launched their advocacy efforts towards improved women’s rights, access to education opportunities and involvement in politics in general.

Political parties played a major role in raising political awareness among women and of women’s rights in general.¹⁰ With that awareness came a growing interest among women to become more involved in politics. The Jordanian Communist Party (JCP) in particular highlighted and encouraged the political work of women.¹¹ The JCP was founded in Jordan in 1948. The party’s supporters were mainly Palestinian communists from the West Bank which the party recognized as part of Jordan in 1951.

The establishment of the League to Defend the Rights of Jordanian Women by the party played a role in “shaking things” for women during that time.¹² The league was invited to join a major international women’s organization therefore allowing Jordanian women to take part in international events and conferences.¹³

In 1953, the Jordanian government passed legislation that condemned all JCP cadres to forced labor, and the party was subjected to political repression.

⁹ Dababneh 2005, 162-163

¹⁰ E. Naffa, *Women and Political Work* n.d., 2

¹¹ *Ibid*

¹² Bourini and al Hindi, *Jordanian Women, pioneers in the work field* 1994, 86

¹³ *Ibid*

The JCP dedicated a section of its manifesto to women's rights and the pursuit of their "liberation." The manifesto was published in the JCP's Popular Resistance Newspaper in June 1951.¹⁴ The working goals of the JCP included a clause that was dedicated to fighting for the "liberation" of Jordanian women from what it described as "backward" restrictions. Most notably the JCP called for full equality for women in all economic, social and political matters. This contributed to raising women's awareness regarding the importance of getting involved in nationalistic and political activities and therefore participating in demonstrations and protests that called for the end of the Israeli occupation of Palestine.¹⁵

Another organization was established in 1952 under the name Women's Vigilance Association (WVA).¹⁶ The WVA was also known as the Association for the Defense of Women's Rights and was influenced by the JCP's agenda including resisting Israeli occupation and empowering women.¹⁷

The early 1950s also witnessed the establishment of the Young Women Christian Association (YWCA) as a non-profit, non-governmental, national entity that is affiliated to the global organization in Geneva. YWCA is a movement working for the empowerment, leadership and rights of women, young women and girls in more than 100 countries. The members and supporters include women from many different faiths, ages, backgrounds, beliefs and cultures.

The YWCA consolidated its presence in the Kingdom by establishing three branches in the capital Amman, as well as the towns of Madaba, and Husun, both known for being home to a considerable number of Christian families. A fourth branch was established in Fuhais in 1998, also a town known for its predominantly Christian population.

¹⁴ E. Naffa, *Women and Political Work* n.d., 2

¹⁵ *Ibid*

¹⁶ E. Naffa, *History of the Jordanian Women's Movement* n.d.

¹⁷ *Ibid*

The YWCA in Jordan declared goals included improving the welfare of women and the community at large without social, religious or racial discrimination. This included the promotion of the role of women in the cultural, economic and social spheres, as well as widening their role and increasing their contribution towards their communities.

By 1954, women’s groups boosted their presence in the country with the establishment of the Arab Women’s Federation (AWF) following an organizational meeting that brought together over a hundred politically motivated women leaders and activists.

Shortly after its establishment, around 800 Jordanian women, forming the membership of the federation, attended its founding meeting and elected Bisharat as the president.

The meeting’s slogans included demands for equal citizenship rights and responsibilities for both men and women as well as the political demands for a liberated Palestine and full Arab unity. Also among the key demands made by the newly formed federation was addressing areas of inequality against women including giving women the right to vote and to be elected, eliminating illiteracy, and forming alliances and friendships with women activists and leaders from the Arab world and internationally.¹⁸

Naffa, who joined the women’s movement in 1954, traveled with Bisharat to various international conferences to talk about the state of women’s rights in Jordan and the illegality of the Israeli occupation.¹⁹ In an interview with Director of Programs at the Arab Women Organization (AWO) Layla Naffa on 5 February 2020, she said her sister Emily and Bisharat used to hold public meetings with political activists and women’s rights champions at the Petra Cinema hall in downtown Amman because it was one of the largest halls during that period.²⁰

¹⁸ Al-Atiyat 2003, 57

¹⁹ L. Naffa 2020

²⁰ Ibid

The AWF quickly increased its membership and geographic presence by opening several branches in multiple governorates in the Kingdom. As an achievable target, the AWF set out to become more actively involved in the country's political process, especially in advocacy efforts to allow women to vote and seek seats in the country's legislative body, the Lower House of Parliament. In November 1954, the AWF sent the first memo to the government demanding amendments to the elections law to allow women to earn the right to run and vote in both Parliamentary and Municipal elections.²¹

Despite support from some political parties, the government ignored their demand to run for elections and only granted voting rights to women who had completed their primary education, a condition that was not applied to illiterate men.²² In response, a petition was sent to Premier Tawfiq Abul Al Huda and other senior policy-makers demanding that women are granted the same right to vote as men. To make the point, the petition was fingerprint stamped by thousands of women, rather than being signed, to reiterate the message of inequality in allowing illiterate men full political and voting rights while women are denied those same rights.

The petition read:

"We, Jordanian female citizens, have been deprived, as a result of difficult economic conditions and age-old tradition, from gaining education. We call on the government to recognize our complete and equal electoral right similarly to our illiterate brothers and our educated sisters, because this is a fundamental right that cannot be divided."²³

Dedicated weekly women's meetings were held to discuss strategies for amending the law.²⁴

²¹ Al-Atiyat 2003, 57

²² Ibid

²³ Abu Jaber, The Bisharat Family, history of five generations 2008, 285-289

²⁴ Al-Atiyat 2003, 57

The meetings, which saw the participation of other political parties, culminated in the following key demands:²⁵

- Equality between women and men in political representation and municipal rights
- Equality in all levels of education and the establishment of more schools for girls
- Improved conditions for people in rural areas
- An end to discrimination against women

In November 1954, Bisharat followed up on these demands by sending a memo to Premier Abul Al Huda requesting the allocation of a government building that could be used by the AWF to teach poor girls.²⁶ The AWF also continued to petition the government on a regular basis demanding that women be granted the right to vote regardless of their education status. Eventually their efforts paid off when in 1956 the government pledged to review the Election Law. This important gain on the right to vote encouraged the women’s group to include demands for changes to the Personal Status Law (PSL) including proposing a controversial demand for abolishing polygamy.²⁷ To further women’s economic empowerment, they also called for amending the Labor Law to ensure better working conditions for women, equal pay, and paid maternity leave.²⁸

Leading women figures in Jordan considered women activists in the 1950s as courageous, ahead of their time and had progressive ideas since the atmosphere then helped them to be active politically and socially.²⁹ The resistance the women activists faced including personal remarks aimed at undermining their credibility as leaders. In one instance, when women activists went to the prime minister’s office to submit a petition to demand the right for women to vote and

²⁵ Ibid 58

²⁶ Jordanian Women Society 1945

²⁷ Dababneh 2005, 98

²⁸ Ibid

²⁹ L. Naffa 2020

run for elections, "senior officials told Bisharat, who was single, to go and get married. These are some of the difficulties they faced then."³⁰

In parallel to their activism on women's rights, the leadership of the Federation also continued their political activism. In 1956, they focused on the ongoing Palestinian/Arab-Israeli conflict and held several activities protesting against Israeli occupation. They also requested first aid training for women in order that they remain useful in case of escalation in conflict in the region.³¹ The Jordanian government agreed, and women volunteers were trained by the Jordanian Army.

Outside the Palestine issue, the women's group also pushed on other political developments in the region including declaring their solidarity with the Algerian women against the French occupation and reaching out to the late King Hussein and other Arab leaders demanding the release of political prisoners from detention.³² Their increased political activity was not welcomed by certain security bodies and they were attacked by the press on some occasions. *Al Jazeera Newspaper*³³ published several articles that attacked the women's movement accusing them of "drifting away from religion and adopting Western values."³⁴

On February 25th 1957, the AWF called for a national meeting at Petra Cinema in Amman that was attended by nationalists and political parties from both sides of the river. The gathering sent a telegram to King Hussein that read as follows:³⁵ "The women's unions and committees are gathered today in Amman. We urge your Majes-

³⁰ Ibid

³¹ Al-Atiyat 2003, 58

³² Salti al-Tal, *The History of the Women's Movement in Jordan (1944-2008)* 2014, 178

³³ Al Jazeera Newspaper was established in 1932 by Syrian poet and writer Tayseer Thibian. The newspaper was first published in Syria. But in 1939, the newspaper was moved to Amman, Jordan. It was first published as a weekly newspaper and became daily in 1945. The newspaper closed permanently in 1952.
<https://bit.ly/2SjmuRq>

³⁴ Salti al-Tal 2014, 160

³⁵ Bourini and al Hindi 1994, 17

ty, to grant women their full and undiminished rights in translation of your vision for this promising era of liberation and openness to the world."

Other prominent women’s groups were also active both on women’s issues and political developments at that time. The WVA, for example, celebrated International Women’s Day on 8 March 1957 in Jericho with the participation of around 800 women from Palestine and Jordan.³⁶ Under the slogan “Equal rights for women”, the event focused on women’s rights to stand for Parliamentary elections and ending the British Mandate.³⁷

An attempted coup³⁸ against the regime of the late King Hussein in April 1957, however, put a stop to the regime’s tolerance of activities carried out by the increasingly influential political parties of the fifties, and with them also the women’s movement that was ideologically linked with those parties.

In response to the tightening of political activism, women assumed a leading role in criticizing the government after several leading figures from activist political parties were arrested.

Women, whose husbands were arrested, were given support by the women groups who also organized protests and sit-ins at the Prime Ministry and the Parliament demanding that legislators put pressure on the authorities to release the detainees and for the government to respond to the women’s demands.³⁹

Women activists such as Emily Naffa and others in the JCP remained active despite curfew orders under the Kingdom’s martial laws. In one event organized to protest the British influence in the area in downtown Amman, Naffa and other protestors were sur-

³⁶ E. Naffa, *History of the Jordanian Women’s Movement* n.d

³⁷ *Ibid*

³⁸ The April 13 coup attempt was led by members of the National Guard, drawn mainly from the West Bank. The King, supported by loyal East Bank Bedouins, purged the legislature of Palestinian nationalists and extremists, banned political parties and imposed martial laws to curb domestic unrest. <https://bit.ly/3villqC>

³⁹ Al Jam’ani, *From the Party to the Prison (1948-1994) Memoirs* 2007, 178

rounded by police officers who were there to arrest them and end the protest. She managed to escape to a well-known restaurant in downtown Amman (Jabri). Two soldiers entered the restaurant looking for protestors and appeared to immediately recognize her. An employee at the restaurant, however, managed to convince them that she was a regular customer who had just finished her meal and she successfully got away.⁴⁰

The AWF was dissolved almost three years after it was established by orders from King Hussein.⁴¹ That decision as well as the decision to ban the activities of political parties lasted for around 20 years as martial laws were imposed across the Kingdom.⁴²

Historians and activists underline the historical impact of the introduction of martial laws on the rights of women in Jordan and on political activism in general in the Kingdom. Scholars looking at that period point out that one of the main reasons behind the decision to dissolve the AWF was its political affiliation to the Jordanian Communist Party and the “serious conflict” which has risen between the state on the one hand and Arab Nationalists and Communist leaders on the other.⁴³ Indeed, both Bisharat and activist Salwa Zayadeen, who led the AWF, were influenced by the JCP’s beliefs and ideologies although Bisharat did not belong to any political party.⁴⁴

This political diversion between the state and leftist/Arab Nationalist political parties and organizations, led the regime to open and broaden its channels of cooperation with the Islamists. In effect this alliance between the state and the Islamists strengthened their hand and facilitated their expanded outreach and influence over society’s social, religious and cultural platforms.⁴⁵

⁴⁰ Kaftey, *The Forgotten Comrades: Leftist Women, Palestinians, and the Jordanian Communist Party* 2019, 71-72

⁴¹ Dababneh 2005, 99

⁴² Ibid

⁴³ Abu Rumman and Abu Hanieh, *The “Islamic Solution” in Jordan: Islamists, the State, and the Ventures of Democracy and Security* 2013, 34

⁴⁴ Dababneh 2005, 100

⁴⁵ Abu Rumman and Abu Hanieh 2013, 34

The regime effectively allowed the Muslim Brotherhood to be the only organized political party given the freedom to conduct its activities and spread its ideology without restriction. This situation continued throughout this period and up to the mid-1980s when other political parties were slowly allowed to return to political life, albeit still under strict state control.⁴⁶

In his memoirs, former Prime Minister Abdel Salam Majali confirmed that the Muslim Brotherhood movement “had the support and protection of the government in order that it, in turn, stands against communist expansionism into Jordan.”⁴⁷

The late Jordanian historian Suleiman Musa, who documented much of the Kingdom’s early history, confirmed in his book that most political parties of the time moved their activities underground, after being dissolved by the government, with the exception of the Muslim Brotherhood which continued to operate freely under the legal umbrella that it was operating as a charity.⁴⁸ But in reality, Musa explained, “the Brotherhood had an effective and influential political role and, in general, they stood next to and supported the regime.”⁴⁹

The Muslim Brotherhood began to infiltrate the mosques, schools, universities, and community colleges; and form religious and cultural charities and associations. They were also appointed to senior positions in government ministries and other public institutions, which opened the door for them to “recruit, expand, and influence.”⁵⁰ Historians studying this period believe that this unique access and freedom given to the Muslim Brotherhood allowed it to also have influence on schools and university curricula which ultimately meant that they would become a “vital source for building a certain religious culture among the younger generations.”⁵¹

⁴⁶ Ibid, 44

⁴⁷ Majali, *Life Journey* 2004, 263

⁴⁸ Mousa, *Jordan’s History in the 20th Century (1958-1995)* 1996, 11

⁴⁹ Ibid

⁵⁰ Abu Rumman and Abu Hanieh 2013, 44

⁵¹ Ibid

The government allowed the registration of a women's Islamic group with the name the Muslim Women's Association. The newly formed association started its work by highlighting what it called "the duties of educated Muslim women towards their sisters in the rural areas." However, their public presence was short lived and there was no further news about the Association's existence and activities.⁵²

Other political parties and leaders of the women's movement were forced to take their activities underground. In the period between 1957 to 1974, the women activists continued to meet secretly and organized themselves under an unofficial society called Defending Women's Rights League.⁵³ The League was affiliated to a Communist organization in Palestine.

In parallel, the women's movement decided to also form a society that would focus on reducing illiteracy among women by establishing the Society for Illiteracy Elimination, and since it had no declared intention to conduct any political activity it was able to gain the support of the government to pursue its educational agenda. The government, in fact, provided the society with classrooms and teachers to facilitate their work.⁵⁴

The Sixties, Resisting the Occupation and Refugees' Aid

The introduction of martial law in Jordan in 1957 and the bloody assassination of the ruling Royal Hashemite family in Iraq the following year, brought not only further political restrictions but also a social and organizational crackdown that extended to the women's movement activities in the first five years of the 1960s.

Scholars and activists point out that women's issues, already not considered a priority by the regime and much of society, became even less so during this period. Women's groups were faced with two

⁵² Salti al-Tal 2014, 237

⁵³ Dababneh 2005, 102

⁵⁴ Ibid

options: either work secretly with one of the underground political parties or simply rebrand themselves to become charitable societies with a focus on socio-economic issues.

The 1950s and the 1960s, were described by historians and activists as an era of “political fear” that continued to haunt Jordanians until the late 1980s. “From 1957 and for the next eight years, Jordan lived under a dark cloud, especially after the Royal family was toppled in Iraq.”⁵⁵

These two developments led the regime to adopt stiffer and even more restrictive measures against activists and members of political parties which meant many of them were detained, banned from traveling or denied access to certain professions or even education.⁵⁶

Scholars pointed out that women, obviously impacted by the shrinking political space, were doubly affected given the social traditions that were already imposed on women in society under the Arab and Muslim cultural need to protect females and safeguard their honor.⁵⁷ Therefore, women activists changed their approach to asking or pleading with the government to grant them rights, rather than organizing, coming together and lobbying to achieve/gain those rights.⁵⁸

The Muslim Brotherhood Movement, on the other hand, consolidated its presence within the Jordanian society by forming the Islamic Center Society (ICS) in 1963.⁵⁹ The ICS provided the Movement with the mandate to oversee a network of schools, colleges, and health centers, as well as becoming involved in charitable, political, social, economic, and service-oriented work.⁶⁰

⁵⁵ L. Naffa 2020

⁵⁶ Ibid

⁵⁷ Amawi 2001, 29

⁵⁸ Ibid

⁵⁹ Abu Rumman and Bondokji, From Caliphate to Civil States, the Young Face of Political Islam in Jordan after the Arab Spring 2018, 23

⁶⁰ Ibid

The growing influence of the Palestinian Liberation Organization (PLO) in the Kingdom in the period between 1965 and 1970, gave renewed impetus to political parties in Jordan and with it the women's movement whose work was immediately revived.

The PLO had gained support from the Gulf countries, Syria and Egypt, which was led by Arab Nationalism leader Egyptian President Jamal Abdul Nasser and Arab countries' support for the PLO also strengthened the role of the political parties and women organizations in Jordan.⁶¹ As a result several activities were held during that period that were related to resistance operations as well as protests and demonstrations to express their rejection of the Israeli occupation of Palestine.⁶²

One of the main entities that influenced the Jordanian women's activities during that time was the newly established General Union of Palestinian Women (GUPW) formed under the PLO in 1965. The GUPW is an umbrella organization for Palestinian women's groups that was founded in 1965 as part of the PLO. Its general goal is to raise the status of women in Palestinian society by increasing their participation in social, economic, and political life. Among the nongovernmental groups associated with the GUPW are the Women's Center for Legal Aid and Counselling and the Palestinian Working Women's Society for Development. It has headquarters both in Ramallah (West Bank,) and Gaza city (Gaza Strip).

"The GUPW was one of the main organizations that gave the Jordanian women's movement a boost and attracted a large number of females to join," Solidarity Is Global Institute (SIGI) Executive Director Asma Khader recalled.⁶³

The members were trained on methods and tactics of resistance and combat. The Jordanian women were given the opportunity to travel with GUPW internationally to raise awareness about the Palestinian cause. The women activists created awareness of the

⁶¹ L. Naffa 2020

⁶² Ibid

⁶³ Khader 2020

plight of the Palestinians and the justice of their cause through cultural and folkloric events. The GUPW's activities gave women in Jordan some exposure during an otherwise challenging time. Activities gave women the freedom to come out in public and become recognized within the political space.⁶⁴

The women's movement's work intensified when the country went to war. First was the six-day war with Israel, which culminated in Jordan's loss of the Jordanian-administered West Bank to the Israeli occupation, and again later in the battle with Israel across the border in the Jordan Valley which has come to be known as the Al Karameh Battle in 1968. In the latter Jordan was able to hold on to its territories in the Jordan Valley and stem off further Israeli occupation of Arab Land.⁶⁵

Women groups became more involved with the rescue operations of the refugees and held several activities to raise "national awareness" regarding the catastrophic situation in Palestine during that period.

Following the Arab defeat against Israel, the leftist and Arab nationalist parties and leaders started to lose their popularity in Jordan and other parts of the Arab region as people became disillusioned with what they saw as misleading claims of military power that failed to manifest itself in the war with Israel.

On the other hand, the Muslim Brotherhood's popularity soared in Jordan and they expanded their work, and their influence grew within university students' unions and the professional trade syndicates.⁶⁶

Towards the end of the 1960s, several new women's organizations registered in the Kingdom, among them the Arab Women's Society in Mafraq and the Working Women's Society in Russeifeh. Both organizations were officially registered with the declared objective of

⁶⁴ Ibid

⁶⁵ Salti al-Tal 2014, 180

⁶⁶ Abu Rumman and Abu Hanieh 2013, 84-85

conducting social, political and development work. They also became more involved in national issues and collected donations for Palestinian refugees.⁶⁷

Leading women activists continued to protest and march against Israeli occupation in large numbers. One of the last protests in this decade witnessed the participation of hundreds of women in December 1969, following the announcement of the “Rogers Plan”⁶⁸ which Palestinians, and other Arab states, felt did not achieve their national claim to their homeland and occupied territories. Israel also rejected it saying it failed to achieve secure borders for the new state.

The “Rogers Plan” outraged the political parties and women’s groups in Jordan. As a result, a major protest was planned despite a government ban on such activities.⁶⁹ After the women’s movement learned of the Rogers Plan, they took immediate action and approached high school students to help them. High school students went to women activists’ homes to help in logistics.⁷⁰ The women’s movement prepared banners and rolled them and stashed them in vegetable baskets that they carried on their backs so that the authorities would not suspect their activities. Since the plan was to meet downtown near a vegetable market, the women’s movement believed that it was the safest method to carry the vegetable baskets with the banners without being noticed.⁷¹ When they arrived to the designated protest area, they pulled the rolled paper and the wooden sticks from the basket and lifted the banners. But the whole activity lasted only minutes because the police immediately ran towards them and they had to sprint in different directions towards smaller streets.

⁶⁷ Salti al-Tal 2014, 181

⁶⁸ Proposal for an Arab-Israeli peace settlement put forward by American secretary of state William P. Rogers in December 1969. The plan was proposed in response to the outbreak of fighting between Israel and Egypt known as the War of Attrition (1969–70). It was also in response to Palestinian guerilla attacks across Jordan, and to the ongoing futility of the Jarring Mission, a UN diplomatic effort begun shortly after the Arab-Israel War (1967) in an effort to realize the provisions of Security Council Resolution 242. <https://bit.ly/3oVFLot>

⁶⁹ Khader 2020

⁷⁰ Ibid

⁷¹ Ibid

Some women were arrested for a brief period, while a group of young females took refuge in the clinic of veteran politician and Arab Nationalist Leader the late Munif Razzaz. The group stayed there for a few hours and the late Razzaz talked to them about the nationalists' priorities and encouraged them to continue the fight.⁷²

The last five years of the 1960's represented an important milestone for the evolution of political parties in Jordan and with-it women's increased political participation and their emergence as leaders. Women were progressively demanding more freedoms for themselves and taking an active role in resisting Israeli occupation of Palestine but also in nationalist and regional issues.

But everything came to a "sad" end when the Black September⁷³ events of 1970 took place very early in the following decade.

The Seventies, The First UN Conference, a Turning Point for Women in Jordan

The Kingdom was heavily impacted by multiple developments at the beginning of this decade including the escalating conflict with Israel, the arrival of multiple waves of Palestinian refugees, and the political repercussions of the conflict on the power map of the Middle East.

The urgent need for an emerging civil society to work with refugees as well as provide support services to impacted communities in Jordan, prompted the Jordanian government to allow some women

⁷² Ibid

⁷³ King Hussein's relations with the PLO, which under the chairmanship of Yassir Arafat openly challenged the King's control in East Jordan, reached a crisis in September 1970. The Popular Front for the Liberation of Palestine (PFLP) hijacked four international airliners and blew up three of them in Dawson's Field, a deserted airstrip in the Jordanian desert. Hussein declared martial law, and civil war (later remembered as Black September) erupted. A peace agreement, in which Hussein made concessions to the PLO, was signed by Hussein and Arafat in Cairo on Sept. 27, 1970; by July 1971, Hussein had forced the PLO guerrillas out of Jordan. <https://www.britannica.com/place/Jordan/From-1967-to-civil-war>

groups to form their own civil society organizations on the condition that their mandates did not include any political activities.⁷⁴

One of those organizations, founded in 1970, was the Arab Women Organization (AWO) which listed as its mandate the achievement of several goals including women's rights, tackling illiteracy among women, supporting gender equality and women's empowerment, as well as working with Palestinian women and children in refugee camps.⁷⁵

Another organization that was established in 1971 was the White Beds Society to provide social services for the elderly. The White Beds Society encouraged Jordanian women to take up nursing as a profession and offered its services to government hospitals.

A few years later, The White Beds Society expanded its mandate and established the Golden Age Home for the Elderly as a humanitarian entity able to provide residential care for lonely elderly women who suffered from deteriorating health conditions and limited financial resources.

The Women's Society to Combat Illiteracy in Jordan was founded in 1972 and worked with Jordanian families to support the education of their daughters and to combat women's illiteracy.⁷⁶

A noteworthy development at that time was the appointment of Laurice Hlas in 1970 as an ambassador at the Ministry of Foreign Affairs, although that appointment did not lead to her being given an ambassadorial post internationally.

The first international ambassadorial assignment happened only 30 years later when Ambassador Dina Kawar was appointed to France in 2001 and served there until 2013. From August 2014 to June 2016, Kawar served as the Permanent Representative of Jordan to the United Nations in New York. In June 2016, she was appointed as Ambassador of Jordan to the United States of America.

⁷⁴ Al-Atiyat 2003, 59

⁷⁵ Salti al-Tal 2014, 186

⁷⁶ Ibid, 188

But despite the growing presence of women in public life, the ripple effect of “Black September” changed the political dynamics with the Kingdom and resulted in security-inspired restrictions on the political activities of the women’s movement’s leaders, many of whom decided to continue work secretly.

Growing international focus on the pursuit of equality for women in the mid 1970s counterbalanced the restrictive environment brought on by Martial Law in Jordan. The first World Conference on the Status of Women was announced by the United Nations and was to be held in Mexico City in 1975.⁷⁷

The UN also designated 1975 as the “International Women’s Year” and announced a decade for women to advance their rights worldwide starting that same year. The UN said that it would roll out three major conferences starting in 1975 in Mexico City, 1980 in Copenhagen and 1985 in Nairobi.

The three UN events were decisive in giving momentum to the struggle of women’s activists in the last quarter of the 20th century globally but also specifically in Jordan.⁷⁸ These events helped counterbalance the extremely negative effect of Islamist fundamentalism on the women’s cause.⁷⁹ The international events also helped the Arab women’s organizations to focus on resolving issues that hindered their advancement and to adopt their own platforms of action and long-term strategies.⁸⁰ The UN agencies’ early initiatives to or-

⁷⁷ The World Conference of the International Women’s Year: Mexico City (19 June to 2 July 1975). The first world conference on the status of women was convened in Mexico City to coincide with the 1975 International Women’s Year, observed to remind the international community that discrimination against women continued to be a persistent problem in much of the world. The Conference, along with the United Nations Decade for Women (1976-1985) proclaimed by the General Assembly five months later at the urging of the Conference, launched a new era in global efforts to promote the advancement of women by opening a worldwide dialogue on gender equality.

⁷⁸ Introduction to Email Interviews, *Current Challenges Facing the Arab Women’s Movements 2003*

⁷⁹ *Ibid*

⁸⁰ *Ibid*

ganize awareness campaigns also played a factor in strengthening the role of women worldwide. These campaigns encouraged women to lobby their government to amend discriminatory laws in order to achieve equality between men and women in their countries.⁸¹ Activists pointed out that Jordan, like many other Arab countries in the region, was pressured to respond positively to the UN Conference in Mexico in 1975 and its key messages on the global push for equality for women.⁸² The announcement that there will be a decade for women pushed top officials in the country to be concerned about international criticism since Jordanian women were still restricted legislatively from running for elections.⁸³

A committee was formed by women organizations under the name "The National Woman's Group in Jordan" to prepare for the First Women's Conference in Mexico. The Group held several meetings with key stakeholders including a meeting with Prime Minister Bahjat Talhouni to discuss Jordan's agenda for the conference. The meeting with the premier was used as an opportunity to press forward with women's voting rights and the right to run for elections especially as the government announced that there would be Parliamentary elections during that year.⁸⁴ The committee continued to send memos to the government and King Hussein to demand the right for women to run for elections.⁸⁵

The women groups also alerted the government that the UN planned to issue an index during the Mexico conference that would list the countries that had granted women the right to vote and run for elections.⁸⁶ The state responded to the increasing pressure and introduced amendments to the elections law that guaranteed women the right to run for elections as candidates.⁸⁷ King Hussein issued a

⁸¹ Ibid

⁸² L. Naffa 2020

⁸³ Ibid

⁸⁴ Salti al-Tal 2014, 194

⁸⁵ L. Naffa 2020

⁸⁶ Ibid

⁸⁷ Ibid

Royal Decree in 1974 amending the Elections Law to allow women to run for elections.

Women activists were really patient in pursuing their demands. They waited 20 years - from 1954 until 1974 - to get their right to run for elections.⁸⁸

From then on, the women’s movement started to gain ground at a quicker pace.

On 13 August 1974, the Jordanian Women's Union (JWU), which was dissolved in 1957, was officially re-established under the name Society of the Women’s Federation (SHF) in Jordan. Bisharat contacted Prime Minister Zaid Rifai to request that the SHF be allowed to operate again especially as the UN’s First World Conference on the Status of Women of 1975 was fast approaching and there were no organized women entities representing women in Jordan. The prime minister agreed and Bisharat and Zayadeen were entrusted with drafting the goals of the SHF.⁸⁹ The goals focused on unifying and organizing women’ activities, raising women’s educational and socioeconomic levels, achieving their rights as full citizens in the Kingdom and ensuring that the organization serves as Jordan’s representative regionally and internationally and to that end building relevant networks.⁹⁰

The SHF’s preparation for the Mexico conference included taking part in the Eighth Conference for the Arab Women Associations that was held in Baghdad in May 1975.

In parallel, the government also started preparing for the Mexico conference. A Women's Affairs Department was formed at the Ministry of Social Affairs and Labor (name changed later to Ministry of Social Development) and tasked with preparing Jordan’s official paper to the conference as well as several other tasks that governed its work including contributing to drafting the Jordanian national de-

⁸⁸ Ibid

⁸⁹ Muath, *The Struggle of Jordanian Women (1974-1992)* 2017, 8

⁹⁰ Ibid, 9

velopment plan.⁹¹ It also focused on education and increasing women's participation in the labor market.⁹²

Secretary General of the Democratic People's Movement Party (HASHD) and former Parliamentary Deputy Abla Abu Elbeh, who was also an active member with the JWU, recalls the Union's dynamic work during the late 1970s. Abu Elbeh used to go with her colleagues, using public transportation, to factories around the Kingdom to teach illiterate women how to read and write. Many were impressed by their work and as a result became members. Until the beginning of the 1980s, however, the government continued to corner the women's movement and limited their work, and they were forced to shut down twice. The activists had to lobby and fight to ensure the reopening of the JWU.⁹³

While the regime and the government pushed for the advancement of women's issues at the national and international level, they nevertheless maintained their channels of communications and effective support of the Muslim Brotherhood Movement. At that time the Muslim Brotherhood Movement remained extremely loyal to the Hashemites politically which manifested itself clearly and in various ways even during the Black September events. "They were solidly in the camp of the Hashemites."⁹⁴ In return, they were rewarded for their loyalty to the regime with strong government support which helped the Movement consolidate its control of social and religious affairs in the country. The Ministry of Education, for example, was handed over to the Movement by Prime Minister Wasfi Al-Tal in 1970.⁹⁵ This unique access to the Ministry of Education allowed the Movement to widen their penetration of the Jordanian society and push forward with their own declared agenda of "confronting secular thinking and politics as well as containing Western influences while

⁹¹ Salti al-Tal 2014, 104-105

⁹² Ibid

⁹³ Abu Elbeh 2020

⁹⁴ Hamarneh 2021

⁹⁵ Abu Rumman and Bondojki 2018, 25-26

in parallel spreading an Islamic agenda based on their logo of ‘Islam is the solution’.”⁹⁶

The Minister of Education at the time, the late Ishaq Farhan,⁹⁷ seen as a leading member of the Muslim Brotherhood Movement, was publicly denounced and suspended by the movement which said it was not working with him and claimed that he agreed to participate in the government without the approval of the Movement’s leadership.⁹⁸ However, researchers and historians believe that Farhan was in fact colluding and coordinating with the Movement to slowly gain acceptance for the relationship between them and the government among their followers and to publicize their agenda which was to “Islamize education, society and culture.” Historians also point out that there were other factors that strengthened the influence of Islamists during that era. One factor was the “societal transformation towards an Islamic identity that began to emerge noticeably during that period.”

The period of martial laws, during which political parties and civil society organizations - especially leftists and Arab Nationalism ones – were driven into hiding, worked to the Movement’s advantage because it allowed them free access to people and to dominate the political scene by utilizing the existing infrastructure of mosques and other cultural, social and service providing activities.

The calculated spread of “political Islam” was one of the main reasons behind the setbacks to the achievement of equality for women in Jordan, especially in the periods when politicians affiliated with the Muslim Brotherhood were appointed to run the Ministry of Education.⁹⁹ When Islamists were given control of the Ministry of Education, slow but steady changes were introduced into the school curri-

⁹⁶ Ibid

⁹⁷ The late Ishaq Farhan assumed the portfolio of the Ministry of Education in 1970 and was named Minister of Islamic Affairs until 1973 in the government of Ahmad Lawzi’s and later with the government of Zaid Al-Rifai’s.

⁹⁸ Abu Rumman and Bondojki 2018, 25

⁹⁹ Aburisha 2020

cula and the selection of teaching staff.¹⁰⁰ At the same time, activists on behalf of political Islam started working to “control women’s minds and bodies by convincing them that they are deficient (awra) and that they should cover their heads and obey the male guardians in their family.”¹⁰¹

The influence of political Islam on Jordanian minds and its control of the Kingdom’s “sources of knowledge” for the past 50 years has resulted in the creation of an “unfounded and misleading narrative aimed at controlling women’s lives and minds. Anyone who objects to their ideologies could be subjected to threats and sometimes even attacks by followers who believed they were defending religion.”¹⁰²

The picture coming out of the 70’s was not all grim with regards to the advancement of democracy though, especially with the establishment of the National Consultative Council (NCC) in 1978 by King Hussein and the inclusion of three women among the 60 appointed members. Many saw the appointment of women as a recognition of the role they can play as political leaders.¹⁰³

With the aim of providing a substantial boost for the Jordanian women’s movement, Amman hosted a regional conference for Arab women in late May and early June of 1978 under the theme “Partners in Development. Prince Hassan who chaired the event spoke of the importance of integrating women in the development of the country and its labor market.¹⁰⁴ During his opening speech, Prince Hassan said Jordan needs more woman power. “Let me say that we do not limit the participation of women in the development process to her role as a worker or employee”. The Prince explained that Jordan is opposed, for philosophical reasons, to imposing limitations on the immigration of Labor. “We have therefore, concentrated on the prin-

¹⁰⁰ Ibid

¹⁰¹ Ibid

¹⁰² Ibid

¹⁰³ Shalabi and Al-Assad, *Political Participation of Jordanian Women* 2012, 220

¹⁰⁴ Kellas, Prince Hassan highlights need for “woman power” as Regional Conference for Arab Women opens 1978

principle of increasing supply which means a greater integration of women in development activities”. “This has the additional advantage that women are much less likely to immigrate and that with their additional incomes they may even succeed in persuading their husbands to stay as well”.¹⁰⁵

A year later, King Hussein appointed the first Jordanian female minister in the Kingdom’s history. The late Ina’am Mufti was named Minister of Social Development on 19 December 1979.

Mufti gave credit to Prince Hassan’s advocacy for women’s education and active participation in the labor market, including her appointment as the first female minister in Jordan.¹⁰⁶ “Prince Hassan realized the importance of male laborers’ migration to Gulf countries in the 1970s so he shifted his attention to women back home” and “issued instructions to integrate women in state entities to fill the labor gap that was created with men leaving to Gulf states”.¹⁰⁷

Researcher and scholar Ibtesam Al-Atiyat has argued in one of her research papers on the history of the Jordanian women’s movement that the decision by the UN to call for a global women’s conference pressured the Jordanian government to consider how to project a positive image to that conference and therefore it allowed the return of the Jordanian Women’s Union in 1974.

The feeling was that the Kingdom, which likes to portray itself internationally as enlightened, needed to have an institutional women representative body attend the conference and represent Jordan in launching the decade. The status of women in Jordan and the activities of civil society organizations, however, remained very much controlled by the state which maintained multiple restrictive or biased regulations and laws governing women’s affairs despite the best efforts of civil society organizations. Women scholars credited the UN Women Decade as having a significant influence on the performance of the women’s movement and its agenda in terms of achieving wom-

¹⁰⁵ Ibid

¹⁰⁶ Misleh, El Hassan Bin Talal: a tale of an Arab prince 2016, 86

¹⁰⁷ Ibid

en's rights, advocating against discrimination, and pushing for gender mainstreaming."

The Eighties, Gradual Changes in the Political and Social Situation

The decade started with the women's movement's preparation for the second 1980 UN Conference on Women in Copenhagen.

The main themes the Jordanian delegation carried with them to Denmark were: Equality, Development and Peace. The Jordanian document focused on women's development and demanding equality between men and women. It also called for the establishment of a balanced plan that takes into consideration various social, economic, demographic, cultural and political resources to improve women's status. The document also focused on developing women's status in sectors such as education, health, labor, and politics.¹⁰⁸

Social Development Minister Mufti was working on an idea to group existing women's charities, societies and civil society organizations under her ministry's wings. She presented the idea in a working paper entitled: "The Ministry of Social Development Women's Organizations."

However, the idea was brushed aside, and a new idea emerged. It entailed combining all existing women groups under one main organizational umbrella and opening branches in various parts of the country which led to the establishment of the General Federation of Jordanian Women (GFJW) in 1981.

The GFJW held its first meeting in September 1981 to announce its agenda and declared goals that primarily focused on engaging women in cultural, political, environmental and socioeconomic development. It also listed other tasks such as representing Jordanian women at national, Arab and international events. The GFJW amended its internal regulations to allow for more individual memberships but excluded individuals with political opposition affilia-

¹⁰⁸ Salti al-Tal 2014, 107-108

tions.¹⁰⁹ This move allowed thousands of women, mostly with Islamic affiliations, to become members. By the 1990 regular elections, members with Islamist leanings, who took advantage of the loophole in membership to join in large numbers, almost took over the organization. Prominent Muslim Brotherhood member Mahdiyah Zumaily was chosen to become the head of the GFJW’s board along with other Islamists who won the other seats on the board. The results were immediately contested by the non-Islamist GFJW members who took their case to the Supreme Court claiming the elections were in violation of the Social Associations and Societies Law. At that time, the GFJW had around 10,000 members who were distributed in 72 women’s associations in various governorates and districts across the country. The Supreme Court appointed a temporary committee to run the GFJW for six months and declared the elections as null and void. It ordered new elections basing its decision on the fact that the GFJW was a specialized entity and therefore only voluntary associations registered within the Ministry of Social Development could participate. Based on the Supreme Court’s amended criteria for membership, the numbers dropped considerably allowing Arab nationalists, liberals and leftists to once again dominate the GFJW’s membership when the new elections were held.¹¹⁰

Close to the time when the GFJW was being formed, the government decided to close the Society of the Women’s Federation (SWF) in Jordan in October 1981.¹¹¹ In defense of its action, the government claimed that the SWF was diverting from its declared objectives and becoming involved in political activities. The SWF’s members were enraged and counter-accused the government of attempting to keep its operation under the GFJW’s wings.

The AWO almost met the same fate. The government wanted to limit AWO’s work and presence at international events and shut it down. But AWO activists fought the decision successfully in court.

¹⁰⁹ Al-Atiyat 2003, 96-97

¹¹⁰ Ibid, 96-97

¹¹¹ Dababneh 2005, 105

They were able to resume their work 14 months later and were not seriously impacted by the brief closure.¹¹²

Two years later, the SWF also won its legal battle and resumed its work under a new name, the Jordanian Women's Union (JWU).

The 1980s saw a gradual but slow return to political life and several women's organizations, who had political agendas, were once again given permission to operate in the Kingdom.

One of those allowed to return to normal operation was the Jordanian Women's Democratic Network. The network, whose membership was composed mostly of women from leftist, independent and Arab nationalist political parties, resumed their activism work in 1982.

A year later, another organization, the League of Jordanian Democratic Women (RAND), was formed with similar objectives and goals including uniting Jordanian women around their urgent priorities. RAND organized a general conference few years after being established which raised the urgency of seeking women's liberation, equality between men and women citizens, pay equity and eliminating illiteracy. To that end, RAND encouraged more women to enroll in the unions and political parties as well as become active participants in the labor market.¹¹³

The League of the Jordanian Women (RAMA) was also formed during this time as part of the Popular Front for the Liberation of Palestine (PFLP) in Jordan with similar goals to those of RAND. RAMA also highlighted equality between all citizens regardless of sex referring also to constitutional equality and pay equity.¹¹⁴

In 1984, women exercised their right to vote for the first time in the Kingdom's history.

¹¹² L. Naffa 2020

¹¹³ Salti al-Tal 2014, 238-239

¹¹⁴ Ibid, 24

King Hussein had ordered the National Assembly to reconvene in March to elect new parliamentarians to the 14 seats vacated by members who died in the years since 1967.

The 1984 Parliamentary by-elections represented a historical and turning point for women in Jordan because they were able to cast their ballots for the first time since winning this democratic right in the 1970s.

However, political restrictions continued, and the timing was not right for any woman to run as a candidate.¹¹⁵ Although the by-elections of 1984 could not be regarded as full elections, two important trends were observed from the process. The first trend was that participation in the political process was heavily influenced by tribalism as allegiance to blood relatives clearly took precedence over personal merit and influenced not only the choice of candidates but the makeup of the voters as well. The second trend was that the Muslim Brotherhood had grown in political stature and influence enabling it to capture one-half of the vacant seats. This “signaled a shift in political power from the leftist parties towards the religious Islamist right.”¹¹⁶

The dominance of tribalism and the rise of political Islam combined became major factors that would have limited the chances of women winning the elections had they decided to compete. But in parallel, the rise of Islamism and Islamists as well as the increased prevalence of their conservative narrative calling on women to remain within their domestic roles at home, encouraged middle-class and emancipated women to organize themselves and fight back. In the background to this change in the political environment, the regime notably appeared to showcase its support for increased women’s rights during that period.

In 1984, Leila Sharaf was appointed as the first female minister in the Middle East to hold an information ministry portfolio. She also became the first female cabinet minister to resign in protest. Sharaf

¹¹⁵ Amawi 2001, 296

¹¹⁶ Ibid, 30

submitted her resignation on 27 January 1985, almost 10 months after assuming her position, in protest against the restrictions on freedom of speech and expression and distributed her resignation letter to local and international media outlets.

The local press shied away from publishing the letter but international media outlets carried the news and excerpts of the letter. "I became conscious of the narrow mindedness of Jordanian officialdom towards the Jordanian citizen and available channels of national information," Sharaf was quoted as saying in her letter.¹¹⁷

The Christian Science Monitor, which carried the news, also interviewed several Jordanian journalists who said that they had enjoyed more freedoms and fewer restrictions during the time that Sharaf was in office.¹¹⁸ Although never published in Jordan, the resignation letter nevertheless was easily available to thousands of Jordanians in both Arabic and English.

Despite the attempt to appear supportive of women and their ascension to leadership or decision-making positions, Jordan was in reality limiting opportunities for women and restricting their growth professionally.

There were many challenges that faced women who wanted to promote themselves to leadership positions during that period. It was difficult for women to get anywhere or to object if they were being discriminated against.¹¹⁹ In 1985, the foreign minister decided without prior notice or explanation to withdraw women diplomats from their diplomatic roles in the foreign service and reassign them to administrative roles within the ministry.¹²⁰

"Nobody raised a finger. Women did not dare to object then. It was unheard of for a woman to raise a case against a minister or to object to a male minister's decision," former Secretary General of the

¹¹⁷ Curtius, Jordan all abuzz as woman quits office over press freedom 1985

¹¹⁸ Ibid

¹¹⁹ Sabbagh 2020

¹²⁰ Ibid

Jordan National Commission for Women Dr. Amal Sabbagh said in an interview on 7 September 2020.¹²¹ Sabbagh was a civil servant working at the Ministry of Social Development in the 1980s and the minister suddenly decided to change the structure of the ministry. As part of the process, the minister decided to demote her, as well as two other women from their positions as directors of departments down to the role of heads of sections. Sabbagh refused the arrangement and resigned, but the two other women accepted the new reality. “I stayed home until a new minister of social development heard what had happened and summoned me to see why I resigned. I told him that I refuse to be demoted and he agreed to give me back my old position.”¹²²

Despite these cases of quite regressive attitudes towards women in decision-making positions, the women’s movement nevertheless worked to take advantage of the gradual opening of the political environment in the Kingdom to advocate and push for their demands.

The year 1989 was a turning point for women in Jordan because, for the first time, they were able to take part in the elections as both voters and candidates. This “political liberalization” process that was being introduced by the regime towards the end of the 1980s had a tremendous impact on the pace of women’s activism and resulted in the establishment of more women organizations which advocated for women’s rights and equality.¹²³ Twelve women ran in the 1989 elections, distributed over seven of the 20 electoral districts and representing 1.85 percent of the total number of candidates. Although almost half of the registered voters were women, the 12 candidates received only 20,530 votes, which represented only 3.7 percent of the total number of voters.

¹²¹ Ibid

¹²² Ibid

¹²³ Amawi 2001, 31-32

Although the 1989 elections represented a new experience for women's political participation and leadership in Jordan, analysts believe several factors contributed to their weak showing in these elections.

Apart from the growing influence of tribal and Islamic political actors, the political uncertainty and generally cautious attitude of Jordanians towards political participation in general impacted the chances of female candidates. This came in parallel to society's prevailing conservative social stereotypical perception of women's roles, and also the women's movement's lack of experience in preparing for an election.¹²⁴ In addition, the religious sentiments were present and targeted women candidates.

When it was time to run for elections, female candidates considered it an important opportunity to break the "silence barrier." But neither society nor the media welcomed or celebrated this experience.¹²⁵ Certain newspapers attacked some female candidates who dedicated much of their time in voluntary work and carried the slogan 'females are subordinates in both religion and mind'."

From the late 1970s and throughout the 1980s, women activism in Jordan "shifted from being a political form of activism associated with political parties and agendas," to activism based on "NGOisation" which came about as a result of the clamping down on political parties.¹²⁶ Women's work was no longer political or focused on national liberation. Their work became part of the world of non-governmental organizations (NGOs), which meant that there was a change from political activism that focused on structural work to development projects."¹²⁷ In addition, the control that donors had on the implementation of NGO projects, meant that most of the funding went to foreign experts (contracted to senior roles or consultancy assignments within these projects) rather than being spent on ser-

¹²⁴ Ibid, 35

¹²⁵ Malas, Haifa Al-Bashir, *Experience and Life* 2013, 61

¹²⁶ Ababneh 2020

¹²⁷ Ibid

vices that these vital projects were meant to deliver in order to benefit and empower women.¹²⁸

Enlightened academics, at this time, started pushing the boundaries by encouraging their students to discuss taboo matters such as domestic violence. The focus of the women’s movement during that era in Jordan and other parts of the world was mostly on development. Violence against women was not a topic open for discussion because it was still considered taboo.¹²⁹ In 1986, a group of University of Jordan students responded to a survey that was conducted by Clinical Psychologist and former Professor at the University of Jordan Arwa Aamiry on domestic violence, which was unheard of during that era. The study showed that around 86 percent of the students’ families experienced some type of violence at home. In addition, 22 percent of the students stated that their mothers were subject to physical abuse by their fathers.¹³⁰

While the 1980s heralded what many believe was a period of democratic liberalization in Jordan, historians also point to the 1980s as the “golden age” for the Muslim Brotherhood Movement in Jordan.

There was a significant people movement in the region at that time including the return of thousands of Jordanian expatriates to the Kingdom from Gulf states as well as Syrians seeking refuge in Jordan to escape the Syrian regime’s persecution of the Muslim Brotherhood Movement’s members. The Syrian Brotherhood members who came to Jordan did not directly participate in any political activity inside Jordan,¹³¹ but they, nevertheless, indirectly spread their ideology by distributing taped religious lectures and books on cassette tapes promoting conservative Islamic values. This extra layer of promotion strengthened the hand of the Movement and facilitated its hold over sectors in which they were already gaining power including schools,

¹²⁸ Ibid

¹²⁹ Aamiry 2020

¹³⁰ Ibid

¹³¹ Abu Rumman and Abu Hanieh 2013, 85

universities, unions, businesses as well as social, volunteer, and charitable work sectors.¹³²

The Islamists' so-called "golden age" of the 80s did not roll out to promoting women as leaders within the Movement's ranks. At the time, the Movement, which was registered as a charity and not a political body, did not believe in allowing women a say in their internal political and organizational issues nor gave them the opportunity to rise to the ranks of representing the movement publicly. This was evident during the 1989 Parliamentary elections when the Brotherhood did not nominate any woman as candidates to run for Parliamentary seats on their behalf. The Movement did however take significant advantage of their female followers to garner enough votes to deliver 22 Brotherhood candidates to seats in the Lower House of Parliament.¹³³

By 1989, and in tandem with their increased political activity, the Brotherhood decided to legalize its political activity by establishing an independent political wing which it called the Islamic Action Front (IAF). The IAF became operational three years later after obtaining its official license as a political party and from then on ran for elections under the slogan "Islam is the Solution."

Senior IAF member and elected Parliamentarian the late Abdul Latif Arabiyat, head of the largest bloc in the Jordanian Parliament, was elected to the position of speaker of the Lower House of Parliament. Four other independent Islamist deputies were counted as supporters of the 22-strong IAF bloc adding more weight to their Parliamentary presence and political influence as legislators. Coming together as an influential bloc in Parliament, and with the support of some conservative elements in the House, they attempted to impose their agenda on the Jordanian society through demands for gender segregation in workplaces and places of education as well as intro-

¹³² Abu Rumman and Bondojki 2018, 27

¹³³ Ibid, 92

ducing a ban on alcohol in the Kingdom. The legislative body was dissolved by the late King Hussein six months after its formation.¹³⁴

Even though there were no female Islamist candidates put forward to that round of elections, female members of the IAF did take advantage of the democratic atmosphere to strengthen their presence in the Jordanian society and as potential political leaders.¹³⁵

Islamist female members of the newly formed IAF became more publicly engaged in political activities and in time began to rise through the ranks of their political party. Their increased involvement eventually led them to be promoted by the party to candidacy in the next elections. Islamist female members also joined their male counterparts in taking up roles within the media, professional unions, in universities, as well as in other aspects of political, cultural and social life in the country.¹³⁶ Female Islamists would gather only two houses away from where the leaders of the women’s movement were meeting in the Tla’a Al Ali’s neighborhood in Amman in the late 1980s and early 1990s.¹³⁷ Several female Islamists from well-known families started giving religious classes at their homes and approaching young women at universities to encourage them to join their lessons and to commit to wearing the Islamic dress.

In the late 1970s and early 1980s the role of female Islamists was to spread the message of Sharia and “encourage women to wear the headscarf because there was a belief that religion was not dominant in society’s values.”¹³⁸

The female Islamist leaders were highly educated women who focused their efforts on highlighting the IAF’s and its affiliate organizations’ charitable work with widows, orphans, and in the relief and

¹³⁴ Schwedler, *Jordan: The Quiescent Opposition* 2015

¹³⁵ Abu Rumman and Bondojki 2018, 29, 79

¹³⁶ *Ibid*, 30

¹³⁷ Aamiry 2020

¹³⁸ Tahboub 2020

education sectors. They also played a major role in the Islamic education sector, especially in teaching and memorizing the Holy Quran.¹³⁹

However, the role of female Islamists changed over the years and women became more and more involved in political life. Female Islamists like Dima Tahboub began to understand participation in politics as part of their religion's teachings, which "call for reforming society by being involved in politics, education and other social activities."¹⁴⁰

Indeed, historians and experts on Islamists in Jordan indicated that the Brotherhood and its political arm the IAF had come to the realization that they needed to shift their attitudes and positions to becoming more actively engaged in the priorities of society and in reflecting those priorities on the agenda of the party itself. This change included the recognition that the female party members are to be allowed wider political participation in translation of this new approach.

The Nineties: The Years of Empowerment, Actions, and Clashes

The decade started with a boost for the women's movement as part of King Hussein's reform steps in 1990 and 1991 to introduce further democratic and political reforms.

The King set up a Royal Commission, composed of key political, economic and societal actors, that was tasked with drawing up a National Charter that spelt out the Kingdom's vision for political, economic and social life. The National Charter, completed in December 1990, included several sections that were dedicated to women:¹⁴¹

¹³⁹ Ibid

¹⁴⁰ Ibid

¹⁴¹ The Jordanian National Charter n.d.

Chapter One, Article 8:

Jordanian men and women are equal under the law. There shall be no distinction between them in rights and obligations regardless of difference in race, language or religion. They shall exercise their constitutional rights and uphold the higher interest of the state and the national ethic in such a manner as to ensure that the material and spiritual resources of Jordanian society are freed and directed towards achieving the national objective of unity, progress and building a better future.

Chapter Two, Article 3, Section 4:

Attaining equality, justice and equal opportunities for all citizens, male and female, without discrimination.

Chapter Five, Article 6:

Women are men’s partners and equals in contributing to the growth and development of Jordanian society. This requires an affirmation of women’s constitutional and legal right to equality, guidance, training and employment as a means of enabling them to play their proper role in the growth and development of society.

But in 1991, those newly drafted rights were dealt a blow when then Prime Minister Mudar Badran included Islamists in his government and allocated them five ministries, including education, health, justice, social development as well as Awqaf (Endowments) and Islamic Affairs.

One of the conditions that the IAF insisted upon for their participation and parliamentary confidence, was that the Kingdom would move “towards Islamization of public life and the re-employment of all Brotherhood members who were terminated from their [public sector] jobs.”¹⁴²

¹⁴² Abu Rumman and Abu Hanieh 2013, 100

This cemented their influence in society and gave them the freedom to operate and continue to have an important foothold within the political and social institutions in the country.¹⁴³ Some of the IAF cabinet ministers imposed certain rules and regulations on their employees including segregating male and female members of staff. Other ministers went as far as canceling departments that were headed by women. One of the women activists, who worked at such a ministry recalled being summoned by the minister for a meeting when he was appointed. "We thought he wanted to discuss work-related matters with us. Instead, the minister asked us to wear less makeup and dress modestly instead of discussing work strategies and how to move forward."¹⁴⁴

Social Development Minister the late Yousef Al Athim, a senior leader within the IAF, immediately ordered the segregation of men and women in offices at his ministry as well as during meetings. He proceeded to try and influence the dress code and behavior of the staff by making remarks around their general appearance and the need to refrain from wearing high heels.¹⁴⁵ He also brought Muslim female preachers from the Awqaf and Religious Affairs Ministry to deliver religion lessons to the female staff on weekly basis. Attendance was mandatory.¹⁴⁶

In 1992, and after the departure of Badran's government and the formation of a more liberal government headed by the King's distant cousin the late Sharif Zeid Ben Shaker, the JNCW was established by cabinet decision and Princess Basma Bint Talal, King Hussein's sister, was immediately put in charge of the new Commission as its royal patron. The JNCW, a semi-governmental organization, was mandated to mainstream gender policies across the public sector in order to eliminate all forms of discrimination against women, advise and support the public sector on women's affairs, liaise with civil so-

¹⁴³ Ibid, 44

¹⁴⁴ Interview recorded on 13 March 2020 by the author.

¹⁴⁵ Al-Atiyat 2003, 201

¹⁴⁶ Ibid, 201

ciety organizations and promote women’s issues in Jordan in general. The JNCW was also tasked to represent the Kingdom at regional and international conferences and forums on matters pertaining to women.¹⁴⁷

The creation of the JNCW was a signal from the government, specifically to the West, that the Badran government’s restrictive policies vis-à-vis women were a thing of the past. It was also meant to convey the country’s seriousness in its efforts to promote women’s rights as part of the Kingdom’s renewed commitment to a democratization process.¹⁴⁸

Some women activists believed it was necessary to have an institution like the JNCW to take charge of mainstreaming gender policies among what they described as “skeptical government ministries.”¹⁴⁹ Women activists believed that it was essential that the JNCW had a mixed government and non-government mandate to gain the trust of local organizations who were seen to be doubtful of any organization that was fully governmental.

However, other activists were not very welcoming of the JNCW in the beginning. They put forward their concerns during a meeting with Princess Basma at the Ministry of Social Development which was also attended by the ministers of social development and labor as well. Princess Basma assured the gathering that the JNCW was not created to take over the role of civil society organizations or to control them. Instead, the JNCW will work with civil society to complement each other’s work, the Princess stressed. The meeting ended on a ‘we shall see’ note, but all in all it was an uneasy meeting.¹⁵⁰ An observer who attended the meeting believed that everyone agreed on the problems facing Jordanian women and how they should be solved but that it was clear the only outstanding issue was who would take the lead in tackling these problems.¹⁵¹

¹⁴⁷ Official Website of HRH Princess Basma

¹⁴⁸ Sabbagh, *A Critical Assessment of NWMs: The Case of Jordan* 2006, 7

¹⁴⁹ *Ibid*, 1

¹⁵⁰ *Ibid*, 28

¹⁵¹ *Ibid*

In 1993, and ever since, the JNCW led the process of preparing and updating the National Strategy for Women in Jordan focusing on women's economic empowerment, legislation, and political participation. The strategy was reviewed and updated every four years.¹⁵²

The year 1993 also witnessed the introduction of a new Parliamentary Elections Law. The law was based on the one-person, one-vote system. The change in the elections system away from the list system, according to analysts, was to block or limit the chances of candidates from organized ideological and religious backgrounds such as Islamists and leftists.¹⁵³

Effectively, the new system boosted the chances of independent conservatives and pro-regime candidates and restricted the flexibility the voters had in earlier elections where they were able to select multiple candidates from a list. The old system had allowed the selection of individual family representatives but also gave the voter the option of selecting a political party candidate as a second choice and perhaps even a female candidate.¹⁵⁴

This new system restricted voters and gave them only one choice instead therefore effectively forcing the majority to cast that vote in favor of the tribal candidate or a family member, most often men, rather than choosing a candidate based on his/her political platform and agenda.¹⁵⁵

For women, the disappointing outcome of the 1989 election and the restrictions that came with the new electoral law resulted in only three women running for elections in 1993.

However, to the surprise of many Jordanians – yet to the joy of women activists - the elections resulted in the win of the outspoken female liberal candidate Toujan Faisal, a Circassian, who gained the

¹⁵² Official Website of HRH Princess Basma

¹⁵³ Shobaki, *Allegiance and Honour: Women's Rights in Jordan 2004*, 129

¹⁵⁴ *Ibid*

¹⁵⁵ *Ibid*

most seats among candidates running for the Circassian-Chechen quota seat in the Third District of the Capital Amman.

The election of Faisal can be attributed to a number of factors. These included the successful utilization of the minority quota seat that was designed to guarantee a parliamentary seat for Circassians, the coordinated efforts of men and women in Amman’s liberal Third District and what she described as the “opposition vote” cast by Christians against Islamist candidates. Finally, it was “the strong and charismatic character of the candidate herself” that helped Faisal finally clinched the win.¹⁵⁶

However, Faisal’s political journey was not an easy one at any time before, during and after winning her seat in the Parliament as will be discussed further in Chapter Four. Faisal was prosecuted for addressing social issues that were considered taboo in the 1980s and 1990s and when she became an MP, she was perceived by some of her male colleagues as a “female” rather than a politician. When she decided to run for elections again, she lost her bid and was later prosecuted and imprisoned for attacking a high-level official.

Meanwhile, the women’s movement, which celebrated Faisal’s historic win, put aside its concern over the formation of the JNCW and turned its attention to the upcoming UN Fourth World Conference on Women: Action for Equality, Development and Peace, which was expected to take place in Beijing, China, in 1995. Women activists believed that the last two years leading to the Beijing Conference were busy days for the women’s movement in Jordan and Princess Basma led the effort and lent her support to women activists determining the priorities for discussion at the conference.¹⁵⁷

A nation-wide consultation process was launched and there were several important events and meetings taking place in different parts of the country in preparation for the Beijing conference. The JNCW also prepared a National Document for the Beijing Conference

¹⁵⁶ Amawi 2001, 36

¹⁵⁷ Nims 2020

in August 1994 which, according to Princess Basma, included information about the status of women in Jordan and listed several recommendations to improve women's status such as promoting their political participation.

Some of the recommendations also focused on raising women's awareness of their legal rights, encouraging the participation of women in economic activity and recognizing as well as rewarding their contribution in the labor force, strengthening the role of women in society and boosting their social status.¹⁵⁸

Princess Basma noted that the importance of both the National Document and the Beijing Conference, key energizers to women rights activists in Jordan, is to bring about greater awareness of women's rights, as well as advocating to reform legislation to achieve those rights.¹⁵⁹ A large Jordanian delegation of 165 persons, led by Princess Basma, took part in the Beijing Conference. The UN Conference played a key role in reframing the work on women's issues from being purely aimed at achieving short-term development targets to focusing on strategies that can deliver empowerment of women.¹⁶⁰

Following the conclusion of the Beijing Conference, global platforms were established to achieve goals for women worldwide which proposed programs and project concepts to be rolled out across the world.

In Jordan, the ripple effect of this flurry of activity around women's rights led to the establishment of new civil society organizations (CSOs) and charities that started implementing projects related to women in Jordan. The CSOs focused their work on women's issues

¹⁵⁸ Hussein, Princess Basma announces final document for World Conference on Women in 1995 1994

¹⁵⁹ Hussein, Princess Basma, UNIFEM Ambassador of Goodwill, pledges continued efforts to upgrade women's status 1996

¹⁶⁰ Ababneh 2020

using advocacy tools that are typical of an active civil society rather than political activism usually associated with political parties.¹⁶¹

UN Conferences on women in the 1970s and 1980s had brought about a defining moment all over the world focusing attention on three key topics: “Equality, development and peace.”¹⁶² Women empowerment was not a known word back then. The international discourse in the early 1970s was about women in development. The UN conferences since then, including the Beijing Conference in 1995, “overturned the whole thing and introduced different terms such as empowerment and international women machinery. It also addressed issues such as violence against women and Jordan adopted the international discourse.”¹⁶³

A few months after returning to Jordan, Princess Basma was appointed as UN Women (previously UNIFEM) Ambassador of Goodwill which she declared she would use to “support the work of women in the region and throughout the world.”

IAF leading figures were very vocal in their opposition to Jordan’s participation in the Beijing Conference which they voiced immediately when the Jordanian delegation returned home.¹⁶⁴ Islamist leader the late Mohammad Abu Fares accused leading women figures who took part in the Beijing Conference of being the “leaders of corruption.” “The leaders of corruption and corruptive practices, have focused their attention on women. They have established committees for women in countries and nations all over the world, and they collectively and in unison work to deliver a deliberate and calculated policy.”¹⁶⁵ These groups of activists, he complained, claim that “women are unjustly treated and oppressed and that their freedoms are restricted; and thus, they must be liberated of all moral values and virtues. This means that we will be obliged to live in “a swamp of

¹⁶¹ UN Official Website on First World Conference on Women

¹⁶² Sabbagh 2020

¹⁶³ Ibid

¹⁶⁴ Abu Hanieh 2008, 21

¹⁶⁵ Ibid

stagnation to facilitate their corruption and the corruption of the next generations.”¹⁶⁶

Meanwhile, women were clocking achievements and recognition in Jordan. In 1993, King Hussein appointed Dr. Rima Khalaf-Huneidi as Minister of Trade and Industry, a post she remained in until she was appointed Minister of Planning in 1995. In 1999, Khalaf-Huneidi made history in Jordan when she was named Deputy Prime Minister to add to her duties as Minister of Planning. Women activists who worked closely with Khalaf-Huneidi described her as a “strong and solid woman who had a long-term vision. Khalaf-Huneidi “had a very clear philosophy on how things should be run and had a deep knowledge of all issues at hand. She also supported women in decision-making positions. That made a lot of difference in the lives of many women.”¹⁶⁷

In the mid-1990s, another organization was initiated by Princess Basma to strengthen women’s role and presence in political life. The Jordanian National Forum for Women (JNFW) was officially registered as a non-governmental organization in December 1995. The JNFW grew out of the mobilization efforts of voluntary committees of women which were set up in 1993 to sensitize local communities to the National Strategy. It attracted an impressive network of around 25,000 women from different parts of the Kingdom. Following its establishment, Princess Basma aspired for the JNFW to become a national network for community-based women leaders in Jordan and support them in their own municipalities.¹⁶⁸ Princess Basma’s aspirations proved right. The Forum was seen to have succeeded in encouraging women to take a more active role as community leaders. Evidence of their success came during the 1995 and 1999 municipal elections when female community leaders were appointed to municipal councils in a step that was seen as a breakthrough at the time.

¹⁶⁶ Ibid, 115-116

¹⁶⁷ Badran 2020

¹⁶⁸ Hussein, Women should take initiative to improve their conditions, Princess Basma says 1996

The municipal elections also produced the first woman in the Kingdom's history to win the mayor's seat. Iman Futeimat competed against four other men for the mayoral seat in Khirbet Wahadne in Ajloun.

Meanwhile, the Princess Basma Women's Resource Center (PBWRC) was established in 1996 to gather and analyze data and research to inform and enhance effective policies on women's issues. The PBWRC was headed by Princess Basma's daughter, Farah Daghestani. It aimed to increase the participation of women in development and decision-making processes, to assess women's needs, to provide decision makers with reliable information, to raise public awareness and promote conversations around women's issues.¹⁶⁹

Another entity, the Jordan Forum for Business and Professional Women (JFBPW) was very active in the 1990s, providing training to women on small business enterprises and financial planning including procuring loans.

In January 1995, the JFBPW launched a legal advice hotline to respond to increasing demand from women seeking legal guidance and assistance. A second hotline was launched by the JWU towards the end of 1995 to support women and children who had been victims of domestic abuse.

Civil society and women's activists' work on domestic violence became more visible in the mid-1990s with an increasing focus on so-called honor murders among activists, conservatives, Islamists, legislators and government officials. The JWU also organized several activities to address discriminatory laws against women such as legislation governing so-called honor crimes and the Personal Status Law (PSL). They campaigned to raise the legal age of marriage to 18 as well.

¹⁶⁹ Hamdar, *Women Centers in Jordan* 2000, 17

In November 1998, UN Women (called UNIFEM at the time) launched a regional campaign to combat domestic violence using art and other creative techniques to gauge the attitudes of high school students towards gender-based violence. A study was also conducted on the prevalence of violence against women in the Kingdom.¹⁷⁰

The campaign also included a street protest, a rare occurrence during that time, attended by Princess Basma Bint Ali and around 300 women activists, as well as men and children. The march took a route around the streets of Amman and protesters walked arm in arm while holding umbrellas and banners that denounced gender-based violence.¹⁷¹

At the same time, Princess Basma bint Talal delivered a strong speech at the launch of the UN Women's regional campaign to eliminate violence against women in November 1998 in which she declared the Jordanian society must tackle the issue of violence against women which she said "should no longer be taboo." "We should not hide our heads in the sand...and pretend they do not exist...True shame is in knowing that violence against women does exist but still allowing it to continue in all its different forms against women. (...) The issue should be recognized, and solutions need to be discussed. As long as we do it with dignity and recognize the strengths in our society, the dictates of religion and the positive values we have, we can make change and fight it by working together," Princess Basma stressed.¹⁷²

Almost a week following the street march, King Hussein asked the government to prepare "amendments to current laws to address and ratify legal contradictions in the judicial process concerning violence against women." The King had made similar requests to previous governments.¹⁷³

¹⁷⁰ Hussein, King spearheading efforts to end domestic violence 1998

¹⁷¹ Ibid

¹⁷² Hussein, Violence against women in Jordan should not be 'taboo' subject - Princess Basma 1998

¹⁷³ Hussein, King spearheading efforts to end domestic violence 1998

A breakthrough for women in Jordan was the announcement, on 16 June 1996, of the appointment of a female judge to the Judicial Council. Judge Taghreed Hikmat became the first female selected from among 350 male judges in that year. She was appointed as a judge at the Court of Appeals for the Tax Department a year later and later served briefly as a judge at the Criminal Court’s tribunal.

Before Hikmat’s appointment, female lawyers who sat for tests at the Judicial Institute claimed that they were routinely made to fail although they believed that they had answered all the questions correctly. Despite protesting and conveying their concerns to the highest authorities, the issue around the test was unresolved.

Veteran female judges gave credit to the women’s movement, including Princess Basma, in spearheading several demands to appoint women in high judicial positions “and it worked with added support from King Hussein.”¹⁷⁴ King Hussein was seen as a strong proponent of Jordanian women reaching the highest judicial positions, and according to Judge Ihsan Barakat, who herself was appointed to many senior judiciary positions until she was made Senator in 2020, King Hussein saw no barriers that would prevent women from becoming judges. He issued instructions to the concerned entities in the mid-1990s to appoint women as judges.¹⁷⁵ Post 1996, the promotion of female judges slowed down and only seven women were chosen over the next six years and women judges back then proved themselves, but the appointment process did not keep up. Although there was a clear political will that supported the appointment of female judges, there were conservative voices that protested against the appointment of women as judges claiming that it was against the social and religious norms.¹⁷⁶

¹⁷⁴ Barakat 2020

¹⁷⁵ Ibid

¹⁷⁶ Ibid

An important outcome of the growing movement to combat gender-based violence was the establishment in 1998 of the Family Protection Unit later renamed the Family Protection Department (FPD)¹⁷⁷ under the jurisdiction of the Public Security Department (PSD). The FPD was established to protect women and children from domestic violence but within two months of its establishment, the FPD decided to stop receiving cases of abused women because there were no shelters to house them. FPD officers were worried that they would “lose the trust of the public by receiving women and then sending them to unsafe places.”¹⁷⁸

The government also reacted by announcing that it planned to open or rent a shelter to house abused women as well as women who were held in “administrative detention” to protect them from their families. The announcement was made in May 1998 by former Minister of Social Development Mohammad Kheir Mamser based on recommendations by civil society.¹⁷⁹ However, Mamser’s ambitious plans didn’t see the light that year.

Shortly after the FPD’s establishment, JWU opened its first shelter for women in 1999 after receiving dozens of calls to its hotline from women who needed urgent assistance and were living in dangerous conditions but had no safe place to go to.

The reality that gender-based violence survivors had no safe shelter to turn to in Jordan, aside from the JWU shelter which had no capacity to cater to all victims, was quickly becoming apparent to leaders of the women’s movement and they started pressuring the government to open a government-run shelter for women and children with adequate services to support them.

¹⁷⁷ In the early 2000s, the Family Protection Unit was renamed the Family Protection Department following the opening of several branches in the governorates of Irbid, Zarqa, Balqah, Aqaba, Madaba, Karak, Jerash, Ajloun and Mafraq.

¹⁷⁸ Human Rights Watch, *Honoring the Killers, Justice Denied For “Honor” Crimes in Jordan 2004*

¹⁷⁹ Hussein, Ministry announces plans to set up shelter for abused women 1998

The idea back then was that the shelter would also accommodate women held under administrative detention to protect them from family members threatening their lives for reasons related to so-called family honor.

The state would detain women at a correctional and rehabilitation center for indefinite periods and without charge based on an article in the Crime Prevention Law. The article gave the administrative governor the authority to place persons who he estimates may “constitute a risk to the community or are living in danger of being hurt or killed,” in administrative detention indefinitely. This provision allowed the state to use the article in cases of women whose lives were in danger for reasons related to family honor. Some would spend over 10 years behind bars because it was deemed unsafe for them to leave the prison. However, many male and female ministers in charge of the Ministry of Social Development were apparently unwilling to take the risk of opening what some of them privately described as a “shelter for prostitutes.”¹⁸⁰

Despite repeated demands by civil society for a government-sponsored shelter for women since 1995, it took 12 years before any serious action was made by the government to address the demand and offer protection to women that also safeguard their freedoms and provides them with opportunities for a normal life. Further details are in Chapter Four.

Meanwhile, women whose lives were in danger for reasons related to family honor continued to serve indefinite periods at correctional and rehabilitation facilities.

Towards the end of the 1990s, King Hussein lost his battle with cancer and his eldest son, King Abdullah, ascended to the throne. King Abdullah started his rule by declaring his support for women’s causes. In the designation letter to his first prime minister, Abdul Raouf Rawabdeh, on 7 February 1999, King Abdullah stated the following:

¹⁸⁰ Descriptions were used by several officials in meetings and conversations with the author who also wrote a book on so-called honor crimes.

“The role of women has assumed added importance. The Jordanian women's role has developed through their participation in numerous social, political, and economic fields, making women an essential pillar in the country's development. Therefore, we need to highlight this role, especially in rural regions and the Badia. We have witnessed phenomena that have aggravated the suffering of women and violated their basic rights. We look forward to witnessing amendments to legislation that currently deprives them of their rights or does them injustice, and we should provide them all with facilities to help them carry out their role as partners in work and construction without any discrimination. Children are also in need of care and protection from violence, homelessness and abuse. We need social care institutions to ensure natural and balanced growth for children within the family and the society.”

Rawabdeh responded to the King's letter by pledging to pay “special care and attention to women's rights.” The Premier also pledged to amend laws that discriminated against women and made specific mention of articles related to so-called honor killings “so that murderers will not benefit from a reduction in penalty.”¹⁸¹

In August 1999, King Abdullah held a meeting with the leaders of the Jordanian women's movement and pledged full backing for their drive to amend all discriminatory legislation.¹⁸²

Another important activity that contributed to the fight against so-called honor killings in 1999 was the formation of the Jordanian National Committee to Eliminate so-called Honor Killing which included seven women and four men. The Islamists were quick to reject any amendments to laws governing so-called honor crimes. The IAF parliamentary bloc, in partnership with conservatives and other independent Islamist MPs, openly rejected any amendments to these laws and attacked the newly-formed Committee, civil society activists and women groups advocating for change and said they were “bowing to Western values and agendas.”

¹⁸¹ Husseini, Activists to launch public campaign against crimes of honor 1999

¹⁸² Husseini, King to support women's drive to amend discriminatory legislation 1999

Meanwhile, the JNCW secured an agreement with the government to introduce a socio-economic Plan for the Period 1999 to 2003 that would address the hurdles to women’s empowerment in Jordan through policy advocacy and implementable relevant programs and projects.¹⁸³

On the academic level, Princess Basma initiated the Women’s Studies Program at the University of Jordan in 1998 as a joint post-graduate program based at the Faculty of Graduate Studies. The Program’s aim was to expose students to challenges faced by women and their rights across different cultures and to promote self-understanding as well as the understanding of the other. The Program was expanded into a department in 2006 and within a short time after that into an independent Center within the University of Jordan, with its own articulated vision, mission and objectives. In September 2016, Princess Basma inaugurated the Raouf and Mireille Center for Women’s Studies at the University of Jordan in recognition of a generous donation by the couple for a new building to house the Department.

In 1999, Journalist and Activist Mahassen Emam established the Arab Women Media Center (AWMC) to support the work of Arab female journalists and building the capacity and awareness of Arab youth, women activists, and governmental decision makers on the role of women in the media. The AWMC also focused on training female journalists and new graduates on media ethics and journalistic skills using audio, video and written material. Since its establishment, the AWMC has held an annual Arab Women Journalist Conference and honored female journalists who made exceptional professional contributions. “Our focus is on shedding light on women’s issues in the Arab society (...) We also strive to enhance the dissemination of culture and democratic behavior through youth meetings in various Jordanian universities.”¹⁸⁴

¹⁸³ Al-Atiyat 2003, 174

¹⁸⁴ AROQA n.d.

The 1990s witnessed a major shift in the course of the women's movement's activism. Many of their activities shifted from being political to becoming more focused on developmental improvement that was mostly depending on international funding.

This new reality further worked to restrict, on many occasions, the agendas of the women's organizations and their choice of causes to advocate for or against.

THE NEXT 20 YEARS: ACTIVISM, ACHIEVEMENTS AND THE IMPACT OF THE SO-CALLED ARAB SPRING

Activism work intensified in the Kingdom in the early 2000s thanks to the extensive efforts of the women's movement in Jordan and several activities and projects that were implemented in the previous decade.

One of the schemes that made a difference this decade was a UK-funded five-year project that focused on training law enforcement officials and professionals working in the domestic violence field.

The project trained specialists and law-enforcement officials on providing professional help to gender-based violence survivors. It contributed to raising the level of proficiency for the trainees, which resulted in exposing several hidden cases of domestic violence and murders committed in the name of family honor.¹⁸⁵ This project also worked to achieve tangible social and legal reform to address gender-based violence cases and more specifically achieve a shift in law-enforcement and medical officials' attitudes and understanding of those types of cases. This contributed, in turn, to exposing several incidents of abuse or murder that were originally reported as accidents or suicide cases by close family members. These changes will be discussed further in Chapter Four. The leadership of the country also played a visible role during this period to safeguard the wellbe-

¹⁸⁵ Husseini, *Murder in the Name of Honour: The True Story of One Woman's Heroic Fight against an Unbelievable Crime* 2009, 82

ing of women and children. In March 2000, Queen Rania chaired a meeting with key government and semi government entities to discuss family safety and to lay out the tasks of a national committee for family safety.¹⁸⁶

Queen Rania was very concerned about the issue of gender-based violence. She was constantly following up on the work of the national committee and on any reported cases related to women and children.¹⁸⁷

The national committee included representatives from the Public Security Department, sociologists, physicians, psychologists, deputies, the secretary generals from the ministries of social development, education, health, information, justice and Awqaf and Islamic affairs as well as the director of the Jordan River Foundation.¹⁸⁸

The committee was tasked with drawing up a national strategy to guarantee family safety and prevent the abuse of women and children, coordinating with all relevant organizations to avoid duplication of efforts and planning and implementing national programs to serve these goals.

Almost a year later, Queen Rania’s directives came to fruition and a Royal decree was issued approving the establishment of the National Council for Family Affairs (NCFA) to ensure the best environment and life quality for Jordanian families. The NCFA, presided over by Queen Rania herself, worked as an umbrella organization to support, coordinate and facilitate the work of its government and non-government partners as well as other relevant institutions. NCFA was also mandated to revise and propose reform on relevant policies, legislations, and procedures as well as proactively support and promote issues related to the Jordanian family. Former Police Chief Major General Fadel Hmoud, who served as the NCFA’s Secretary General in the mid-2010s pointed out in an interview in June

¹⁸⁶ Hadidi 2020

¹⁸⁷ Hadidi 2020

¹⁸⁸ Husseini, Queen Rania moves to coordinate groups’ efforts against domestic violence 2000

2017 that the focus during his time was to amend laws to better protect women and children. "We were constantly seeking to produce a contemporary law that focused on giving the family a pivotal and leading role in the preservation and advancement of our society towards a positive and distinguished reality."¹⁸⁹ Hmoud, who headed the FPD when it was first established, tasked several teams to follow up on observations and recommendations relevant to family protection and refer those to the right authorities.

Law reforms on Divorce, Marriage Age, so-called Honor Crimes

The efforts of the FPD, women's groups, activists, lawyers and relevant governmental and local entities resulted in the amendment of three important laws related to women. The laws were passed in the form of temporary laws in December 2001.¹⁹⁰ Two of the passed amendments were articles from the PSL related to the woman's ability to divorce her husband without his consent or what was termed then the "Khuloe Law"¹⁹¹ and raising the legal age of marriage from 15 to 18 with certain exceptions. The third amendment was related to Article 340 of the Jordanian Penal Code which used to allow exemptions or reduced sentences for perpetrators who murder their family members for reasons related to family honor. The three temporary laws and the events that occurred around the time of their introduction will be discussed in further detail in Chapter Four.

The passing of those amendments through Parliament was seen as an important achievement by the women's movement which had been lobbying for legislative reform on those articles since the women's movement started receiving reports of domestic abuse cases through its hotlines. Activists reported an increased number and severity of domestic violence cases which could not be adequately

¹⁸⁹ Hmoud: We are seeking a contemporary law that takes into account the family's pivotal role, NCFA

¹⁹⁰ The government had introduced over 200 temporary laws that year because the Parliament was absent from the period between 2001 to 2003.

¹⁹¹ The Khuloe Law was introduced in 2001 as a temporary law and gave women the right to divorce themselves in return for dropping their financial rights.

dealt with because of what many in the movement felt was a deficient and unjust legal framework to address them.

In April 2001, news started circulating of the government’s intention to revisit the idea of opening a women’s shelter with senior government officials issuing statements assuring civil society organizations that a safe house will “open soon and in a gradual manner.”¹⁹² Mamsr was quoted as saying that he faced resistance when he introduced the idea back in 1998. He said that many did not want to work with him “although I was dedicated to opening the shelter back then... maybe because it was a huge project that needed a lot of work.”¹⁹³ However, despite the senior official’s pledges to open a safe haven for these women, the shelter did not materialize that year.

In November 2002, Jordan hosted the Arab Women’s Summit in Amman. Queen Rania patronized the gathering which brought together first ladies from the Arab World and other well-known Arab personalities active in the women’s empowerment field across the region. Other participants in this high-level event included representatives from the local and international women’s movements, government and non-government organizations. The meetings addressed challenges facing women in the region and considered recommendations to activate the role of women in sustainable development. Queen Rania, who delivered the opening speech said: “We came to realize the best and most practical way in which we can contribute to joint Arab efforts, is to undertake bold initiatives [here] to improve the living conditions of Jordanians. We can then share our successes and failures transparently with our Arab brothers and sisters.”¹⁹⁴ The Queen added: “We will then have a benchmark and an important resource for the future. (...) Indeed, the sharing of knowledge and experience is the crux of 21st century cooperation between nations.” The Queen also touched on the stereotypes that Arab and Muslim women are suffering from. “To reshape our image as Arab women, there is no doubt that we have to begin to tackle new global

¹⁹² Hussein, Abused women to have safe haven within three months 2001

¹⁹³ Ibid

¹⁹⁴ Hussein, Queen calls for strengthening union of Arab women 2002

realities. It is no coincidence the theme of this gathering is 'Arab Women: New Vision', because in order to tackle the world changes, we need to engage in a new vision. (...) it is important for women to make use of the latest technology, particularly the Internet to re-shape their lives. (...) Let us work to empower women by building societies in which they are treated on an equal footing with men, as an aim, and means for, comprehensive sustainable development," the Queen added. Queen Rania also emphasized King Abdullah's support of women's efforts and the pioneering role that Arab women are undertaking.¹⁹⁵

The year 2003 witnessed several gains and development on the ministerial and Parliamentary levels. Three female ministers were appointed to cabinet posts in the newly-formed Faisal Al Fayez government for the first time in the Kingdom's history in October 2003. Premier Al Fayez appointed Asma Khader (Minister of State and Government Spokesperson), Nadia Saeed (Information and Communications Technology) and Alia Hatoug-Bouran (Tourism and Antiquities).¹⁹⁶

Parallel to these appointments, a royal decree was issued granting women quota seats (six) in the Lower House of Parliament through elections.

During the same year, King Abdullah appointed seven women to the 55-seat Upper House of Parliament. This was another signal of the commitment of the regime and government to women becoming part of the legislative body at an acceptable percentage.

The year 2003 also saw the introduction of the National Action Plan by JNCW in cooperation with the General Federation of Jordanian Women (GFJW), the JWU and the Jordanian National Forum for Women (JNFW). The four women organizations united their efforts

¹⁹⁵ Hussein, Queen calls for strengthening union of Arab women 2002

¹⁹⁶ Alia Hatoug-Bouran became Jordan's Ambassador to the United States in September 2010. Before her current post, she served as Jordan's Ambassador to the United Kingdom. She has also served as Ambassador to Belgium and the European Commission, Norway, and Luxembourg.

to launch the Action Plan, which targeted discriminatory laws related to women in Jordan and adopted a new approach by arranging face to face meetings with deputies, religious figures and community leaders in order to put forward and discuss their demands. The meetings, many headed by Princess Basma and senior officials, aimed at starting a new form of positive dialogue to discuss demands that were opposed or criticized by conservative politicians and religious figures.¹⁹⁷ These meetings were important because they came following the initial rejection of the three temporary laws by the Lower House of Parliament.¹⁹⁸

The temporary articles included the “Khuloe Law”, raising the legal age of marriage from 15 to 18 with certain exceptions and Article 340, which used to give reduced sentences for perpetrators who murder their family members for reasons related to family honor.

The face-to-face dialogue was seen as a new form of activism and lobbying from the women’s movement that received positive feedback from the media which saw the meetings as a show of unity among women groups.¹⁹⁹ It also had a positive impact among the legislators who were meeting women groups at their constituencies. Many of the deputies were impressed with the women’s movement approach and the points raised but stated it was too late. The bills were defeated. Nevertheless, these meetings and conversations brought back some hope for the women’s movement that was crestfallen after the recent legislative setback.²⁰⁰

In 2003, women were finally able to obtain or renew a passport without the permission of a male guardian following an amendment to the Passport Law.

In the judicial field, an important landmark decision was made in March 2003 by the Judicial Council to name Judge Hikmat to the Criminal Court’s tribunal. The decision made her the first woman to

¹⁹⁷ Dababneh 2005, 111

¹⁹⁸ Sabbagh 2020

¹⁹⁹ Ibid

²⁰⁰ Ibid

serve in that court that deals with grand felony cases such as homicides and sexual assaults and was seen as a sign of increased trust in women's abilities and leadership.

In June 2003, Hikmat made history again when she was selected to the UN International Criminal Tribunal for Rwanda, becoming the first Jordanian woman and Arab judge to serve at this prestigious court. The veteran judge viewed the new post as an important reference for Jordanian participation in international criminal law and defending human rights.

Judge Barakat was appointed as an inspector and a judge at the capital's appeal court and the Chief of Court of the Court of First Instance in West Amman in 2007.

The tradition of appointing women as judges continued and the Judicial Institute's regulations were amended in 2010 stipulating that women should constitute a minimum of 15 percent of the new student intake.

The law enforcement branch also began including women in its divisions. In 2003, the first female resident forensic specialist was appointed at the National Institute of Forensic Medicine (NIFM). Dr. Isra Tawalbeh, who was 31 at the time, was chosen by the Institute's director Dr. Mumen Hadidi to start performing autopsies and examining crime scenes.

Tawalbeh decided to become a pathologist after witnessing repeated cases of domestic violence while working at one of the main government hospital's emergency sections.²⁰¹ At the same time she wanted to defend human rights and felt that by joining NIFM she will be able to do both.²⁰² Tawalbeh recalled her early beginning at the Institute when arriving at a scene of a crime and representatives from other agencies would be openly surprised at her presence. "While crossing the yellow tape to attend a murder scene, police officers guarding the site would tell me: 'Hey young lady, where do you

²⁰¹ Husseini, 1st female forensic expert joins NIFM 2003

²⁰² Ibid

think you are going? This is a crime scene.’ (...) I would tell them that I am the forensic expert who was assigned to this case and they would be startled. They did let me through but with an attitude of disbelief,” she remembered.²⁰³ When Tawalbeh was promoted and started giving lectures on the subject at specialized institutions and universities, she would sometimes be met with “whistles by men in the classrooms.” At other times “the students would also ask me if my heart was made of stone because of the nature of my work.” But such reactions never deterred Tawalbeh, who became the first female and pathologist to be appointed as director of a government hospital in 2018. Her concern was to alter their attitudes towards her. She wanted her students to start seeing her as not just a woman but a qualified professional and human being who is seeking justice through scientific methods.²⁰⁴

Human rights issues were beginning to gain ground during this time and the government and other state institutions were responding to the increased concern over human rights in Jordan and the need to institutionalize policy making and rights monitoring mechanisms. As a result, the National Center for Human Rights (NCHR) was established in 2003 as a national institution with full financial and administrative independence mandated to carry out its activities with complete autonomy, including monitoring and receiving complaints.

Queen Rania continued to be active in the mid-2000s on issues related to gender-based violence. To showcase her continued commitment, she acted as patron to two important regional events in Amman. In March 2004, the Queen attended the launching of a six-year Amnesty International Middle East and North Africa campaign to “Stop Violence Against Women.” The event was attended by the late Chief Islamic Justice Sheikh Izzeddine Al Khatib Al Tamimi who delivered a keynote speech stressing that violence and discrimination against women were never part of the Islamic religion.

²⁰³ Tawalbeh 2020

²⁰⁴ Ibid

Queen Rania was named the World Health Organization (WHO) Patron for Violence Prevention in the Eastern Mediterranean Region in 2005 based on her national and international efforts in the family protection field. She also acted as patron to a regional conference in Jordan that was dedicated to family protection.

An important, and rare, survey on domestic violence in Jordan entitled “Domestic Violence in Jordan, Knowledge, Attitudes and Status” was released during that regional event in effect responding to sceptics, primarily from conservative and Islamist circles, who had cast doubt about the magnitude and existence of the problem in the Jordanian society.²⁰⁵

The study revealed that wives and mothers were the most vulnerable family members with around one-third of Jordanians surveyed reporting they were aware that incidents of domestic violence against women occur in their own families. The study also revealed that boys and young men in Jordan are more likely to be brought up to be aggressive and rebellious than girls who are predominantly brought up to be more submissive.

The Queen continued to lend her support to the legal and institutional family protection package for women and children especially in terms of protecting them from domestic violence and ensuring that there is a legal framework and policies around that approach.

In 2005, Queen Rania launched the Arab Women’s Legal Network (AWLN) to promote and advance Arab women’s involvement in the legal professions. The idea behind the AWLN came a year earlier when a group of legal professionals from 16 Arab countries met in Jordan to discuss challenges facing them in the legal and women’s rights fields.²⁰⁶ Judge Barakat, who was a founding member and former director of the AWLN said the establishment of this civil society organization gave impetus to efforts to empower women in Jordan. She referred to a meeting that was presided over by Queen Rania and included former Justice Minister Sharif Zu’bi and women activists,

²⁰⁵ Husseini, Arab Regional Conference for Family Protection Open 2005

²⁰⁶ Arab Women’s Legal Network n.d.

lawyers and judges. “A 15 percent quota for female judges was suggested and was adopted by the Judicial Institute, (...) The acceptance exam and the entire system became more transparent, which meant that more women were passing the exam and becoming judges, exceeding the 15 percent quota.”²⁰⁷

During the years 2005 and 2006, Jordan joined the 16 Days Global Campaign Against Gender Violence,²⁰⁸ kickstarted in the Kingdom after it received support from Freedom House in Jordan and other donors, INGOs and large national civil society organizations. The 16 days of activities to commemorate the global campaign included events such as plays at universities, lectures, training courses and a bicycle ride to the Parliament to demand more equitable policies and legislation supporting women. The campaign activities, which were implemented across the country, were received positively in the Jordanian press and by government institutions.

In 2007, the government established the Family Reconciliation Center (FRC)²⁰⁹ to house women whose lives were believed to be in

²⁰⁷ Barakat 2020

²⁰⁸ International campaign to challenge violence against women and girls. The campaign runs every year from 25 November, the International Day for the Elimination of Violence against Women, to 10 December, Human Rights Day. It was initiated in 1991 by the first Women’s Global Leadership Institute, held by the Center for Women’s Global Leadership (CWGL) at Rutgers University. Since then it has run every year across the world pushing for an end to violence against women and girls.

²⁰⁹ The Family Reconciliation Center (FRC) was used as an integrated services center to confront domestic violence in November 2009, providing a safe and effective environment for the physical, psychological and emotional repose of victims of domestic violence, including both women and their accompanying children, through a creative work program enabling victims and their families to meet with a multi-specialty rehabilitation team. The Center receives women and their children, with no age limits in the case of girls and up to the age of 5 in the case of boys. It provides family and psychological counseling for battered women and their abusive husbands, fathers or other male relatives. Victims are received and services provided in accordance with criteria that guarantee excellence and competence. All services needed by battered women are available under one roof: medical care, psychological, social and legal counseling, training and rehabilitation for beneficiaries and their families, as well as economic empowerment.

danger for reasons related to family honor. However, government officials were not ready to become entangled in the societal challenges around women embroiled in so-called family honor issues, so they redirected the focus of the Center to primarily helping abused women.

Many government officials argued at the time that the public was not ready to accept the concept and that it would be difficult to provide adequate security to the women at the FRC to protect them from angry relatives. Government officials were also hesitant to use the word 'shelter' fearing its social connotations especially over the role of the government in protecting women who may have been labeled by society as "prostitutes and runaways."

Over many years, successive ministers of social development - from the period of 1995 until the Center was opened in 2007 - had shied away from using the word 'shelter'.

The FRC could house between 35 to 50 women and 36 children. The residents are offered social, psychological, family, legal, health and religious counseling for women, children and men.

In January 2008, the Parliament enacted the Family Protection Law after years of lobbying by civil society.

Khader, former secretary general of JNCW and veteran lawyer, considered the Family Protection Law an important achievement for the cause of combatting gender-based violence (GBV) and specifically domestic violence. "The passing of the law was an acknowledgement by the government that Jordan has a domestic violence problem and, more importantly, that victims of domestic violence needed better state protection."²¹⁰

In 2009, the government adopted concrete steps to combat human trafficking. In March of that year the government introduced a

²¹⁰ Husseini, Women advocates hail two decades of 'outstanding' King's support for women 2019

national law that imposed fines and imprisonment terms on sex and labor trafficking violations.

Three months later, Jordan ratified the UN Convention against Transnational Organized Crime and its supplemental Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

Many rapid achievements were clocked in the first decade of 2000 that reflected a stronger and more effective public presence for the women’s movement.

“It became more of a threatening movement also because of its presence in the social media. It was no longer just a group of organizations working on women’s issues. It was also women coming out and saying they are feminists, some with more radical feminist positions than the leading women’s organizations and CSOs,” Political Activist and current Secretary General of JNCW Dr. Salma Nims recalled.²¹¹

The early part of the 2000 decade, showed a marked presence for women in Sports. Athlete Maha Barghouti painted a smile on Jordanians’ faces when she became the first women to win a gold medal for Jordan in the 2000 Sydney Paralympics.

In 2005, Prince Ali Bin Al Hussein, King Abdullah’s half-brother, launched the women’s football program at the Jordan Football Association. The ambitious program began with a handful of female football players and clubs and a women’s national team. That same year, Jordan hosted the West Asia Women’s Championship, and the national team clinched the championship in their first regional appearance after beating Iran 2-1 in the final game.

Since then, the program has taken off with considerable and direct support from Prince Ali. The vision and mission of the program was to expand girls’ participation in the football program to various governorates in the Kingdom and to provide entry opportunities for

²¹¹ Nims 2020

more women and girls to play the game within their geographic areas.²¹² The goals also included establishing grassroots centers to encourage players to start young as well as involving the players themselves in several fields such as training and refereeing among other activities related to the game of football. The program, which has grown considerably since it was launched has helped break social taboos surrounding women's engagement in sports in general and in football in particular. In fact, the constant media attention to the women's football program and the apparent growing social acceptance of women in sports, has led many families to encourage their daughters to take up the game. In the football fields or when preparing to travel to international competitions, it was the fathers, mothers and siblings who attended to offer their daughters and sisters support and wish them luck.

The 2010s – The Impact of the so-called Arab Spring

The decade began with what is known to many as the so-called Arab Spring during which multiple demonstrations broke out across the Middle East and North Africa (MENA) region calling for reform and the removal of long-term political leaders and regimes.

Although the regime in Jordan was able to maneuver through the most radical regional and national challenges, the impact of the so-called Arab spring, nevertheless, was felt in the country. Demonstrations and calls for political and economic reform were initially consistent but waned after some, including neighboring, countries disintegrated into violent civil wars and Jordan had to brace itself for the influx of refugees who again flocked to its borders from affected countries.

Assistant Secretary General of the League of Arab States Ambassador Dr. Haifa Abu Ghazaleh, a Jordanian women's rights activist and former Secretary General of NCFA, described the situation in the Arab world in the first five years of the 2010s as complex and pre-

²¹² In 2009, the author joined the Jordan Football Association as a board member and head of the Women's Football Committee until 2018.

senting an “awkward equation” for emerging modern Arab democracies.²¹³

The complexity lay in the fact that there was emphasis only on political rights, but a reluctance, by some opposition or emerging democratic parties to take serious positions towards women’s issues.

And despite some advances in democratic and political rights, the status of women has not improved in most Arab Spring countries and the social, economic, and political demands made by women groups in those countries have not been fulfilled.²¹⁴ In fact, the situation in some of those countries has become more dire. Many women have been brought into conflict situations by “autocratic governments and/or terrorist groups” in several of those countries and were enslaved, widowed, or bereaved as a result. “These women ended up paying the price of these conflicts.”²¹⁵ In addition, the evolving conflicts gave space to an extremist religious narrative that was used to disempower women. Girls were forced into early marriage or even being sacrificed to men for pleasure. Some girls were sold as slaves and war loot in “markets” (...) “Arab women shall always consider this time in history as a ‘Dark Age’.”²¹⁶

In Jordan, the increasingly tense and unstable political environment created a “tricky and difficult” situation for the women’s movement and restricted the country’s ability to advocate for advancement on women’s rights.

The prioritization of national security and stability over all other national matters, including women’s issues, meant that there were setbacks and a general lack of progress in those areas.

²¹³ The Wilson Centre, *Five years after the Arab Spring: What’s next for women in the MENA region?* 2016, 1

²¹⁴ *Ibid*

²¹⁵ The Wilson Centre 2016, 1

²¹⁶ *Ibid*, 2

President of JWU Amneh Zu'bi confirmed that women's rights suffered a setback in the first years of 2010. "The emergence of different violent conflicts and civil war in some of the countries (impacted by the so-called Arab Spring), meant that extreme ideologies propagated by terrorist groups in the region ultimately influenced the Arab societies' beliefs and values. It basically created an unfriendly, conservative and even extreme environment that is hostile to demands for women's rights in Jordan," Zu'bi explained.²¹⁷

King Abdullah had carried a clear vision for change in the early 2000 when he became king, and within that vision there was support of furthering equal rights for women.²¹⁸

Side Effects of the "Arab Spring"

According to Salma Nims things took a downturn with the advent of the so-called Arab Spring when progress towards achieving those rights slowed down. "The year 2011 caused a (political) shakeup in the Arab region and as a result did pose some level of threat to the Hashemite Regime's stability."²¹⁹ This situation forced the state to reconsider strategically how to maintain stability and what steps it needed to take to move forward especially since Jordan was also impacted economically by the political developments. This, essentially, "resulted in a shift in priorities towards security and the economy. (...) What we saw was a clear plan, formulated in 2011 in response to the multiple protests accompanying the Arab Spring, to contain any form of civil action or movement that could have an adverse effect on the government." The rising "7irak" (as the mostly youth-led street protests across the region came to be known) in Jordan originally had no affiliation with an Islamist ideological movement as was perhaps the case in most of the other Arab countries witnessing a movement for change. "Historically, there was an undeclared but nevertheless understood agreement between the regime and the Muslim Brotherhood Movement in Jordan, that the latter would not

²¹⁷ Zu'bi 2020

²¹⁸ Nims 2020

²¹⁹ Ibid

cross boundaries in their opposition especially not in ways that would affect the political stability of the state or that of the regime.”²²⁰ In return, the state appeased the Movement by allowing them a say over the country’s legislated social values, including matters related to women and family. That is why the women’s movement was never able to make too many advances on women’s rights.²²¹ The fact that the 7irak was not led by Islamists meant that the state did not have leverage over the street protest through its leaders, which in turn meant the security-conscious state had to carry out a plan to close and contain the civic space from which those protests sprung. From 2011 and until the security situation would return to normal in Jordan, the civil rights movement and within that the women’s movement were crippled because of the state’s agenda to divide the civil movement and restrict their work.²²²

Realizing the situation, when the street protests erupted in Jordan in 2011 and 2012, the women’s movement chose not to take an active part in the politically-driven demonstrations and redirected its attention to economic empowerment advocacy instead.

As a result, many women activists joined the Jordan Day Wage Labor Movement that started in 2006 and held several activities over the years to demand economic rather than political reforms. The movement was initiated by a group of daily wage contractors from the Ministry of Agriculture, who for years had been kept on the daily rate and not offered permanent employment effectively denying them employment benefits offered to public sector employees as stipulated in the Jordanian Labor Law. But despite all the uncertainties of earlier years, it was also clear that increased focus on economic empowerment by civil society and the increasingly positive reporting of their activities in the media, has helped create a more hospitable environment to push for more recognition of women’s rights in this decade.

²²⁰ Ibid

²²¹ Ibid

²²² Ibid

Pushing Social Barriers and Taboo Topics

The joint effort of CSOs and individual activists from the civil society space as well as from within traditional and online media organizations opened a nation-wide dialogue on topics that pushed against social barriers and “untouchable” topics such as abortion, virginity, so-called honor killings, rape, incest and molestation.

The public debate quickly showed that most Jordanians had no knowledge of the challenges to women’s empowerment and equal rights especially on issues of legislative and institutional bias. Some had enough knowledge of the issues and had already become involved in efforts to achieve those demands. A third camp, primarily composed of Islamists and other conservative traditionalists, were committed to an ideology based in a patriarchal mindset and therefore continued to cast doubt on the efforts of the women’s movement accusing them of following Western moral agendas and funding.

Nevertheless, the intense debate surrounding these topics played a major role in breaking taboos and shifting people’s attitudes as well as motivating many Jordanians to join organized advocacy efforts to introduce legislative change, change mindsets and shift social and political resistance to women’s rights.

Despite uncertainties and increased government’s attention to security matters, the women’s movement, nevertheless, continued to push on their agenda to achieve for women their rights.

Royal Support, National Dialogue, Disappointing Results

The Hashemite regime and the more enlightened senior officials and policymakers also continued to support many of the movement’s demands despite the concern over the regional turbulences. In that vein they allowed street protests organized by women’s civil society organizations and patronized dialogue that brought champions of women’s rights with political parties and other stakeholders.

In March 2011, King Abdullah held a meeting with some women’s rights activists on International Women’s Day, also attended by

Queen Rania, in which he encouraged the movement’s leading figures to continue to work towards political reform and what he referred to as the “modernization process.”²²³ He said that he sought a more effective role for women in the decision-making process in general and in the National Dialogue Committee, where women should have their say. The women’s movement handed the King a list of proposals reflecting their top demands.

However, when the 52-member National Dialogue Committee was formed, it included only four women alongside representatives from the political parties, professional associations, civil society, and the youth. Its recommendations failed to deliver the main demand by the women’s movement which was to guarantee Jordanian women equal citizenship and other rights to their male counterparts. The National Dialogue Committee kept Article 6 of the Constitution unchanged despite the demands from the women’s movement to add the word “sex” to the article that spells out the equality terms among citizens. In fact, a new paragraph was added to Article 6 that was seen to reinforce the traditional role of women.

Paragraph 4 stated:

The family is the foundation of the society. It is founded on religion, morality and patriotism. The law preserves its legal entity, strengthens its ties and values, protects under its motherhood and children and cares for youth and people with disabilities and protects them from exploitation.” This paragraph, according to women’s rights activists, effectively brought women back to the private sphere, to be “protected” and subjected to control as they are perceived as bearers of family’s “morality” and “honor.”²²⁴

²²³ Husseini, King, Queen discuss Jordanian women's issues with activists 2011

²²⁴ The Jordanian National Coalition 2012

Some Symbols but Little Political Will

In 2012, the first cabinet post for women's affairs was introduced and columnist and women's rights activist Nadia Hashem-Aloul was named to that post by Prime Minister Dr. Fayez Tarawneh.²²⁵ Tarawneh decided in 2012 that there is a need to have a dedicated cabinet minister to follow up on women's affairs in the government and he proposed the idea to King Abdullah who, as an avid supporter of women's empowerment, supported the proposal."²²⁶ Yet, the "aspiration" was not translated into concrete steps on the ground. A temporary office at the Prime Ministry was allocated for Hashem-Aloul with a threadbare team of only an office director and a secretary and no operating budget. The vision articulated for the new ministry was to speed up work on relevant legislation, create a partnership between the public and private sectors to ensure sustainable development and serve as an administrative tool in applying policies and strategies related to women. But the vision "never took off the ground." When Hashem-Aloul started drafting a strategy, she faced many financial and logistical hurdles which made her feel that the government was not that concerned or serious about women's issues, which were still not a priority. By October 2012, when newly-appointed Prime Minister Abdullah Ensour cancelled the women's ministry, Hashem-Aloul tried to convince him to retain the role but Ensour argued that "the timing is not right." He also asked Aloul to "name any country that has such a ministry" but when she gave him examples from Palestine, France, and South Africa, he lost interest in following up.²²⁷

In May 2014, USAID launched a multimillion Program for gender equality and female empowerment which was mandated to fully shadow the JNCW and other large CSO's and build their organizational capacity for policy reform and community engagement on key gender issues. The Program, which came to be known as Takamol, also pro-

²²⁵ N. H. Aloul 2020

²²⁶ Ibid

²²⁷ Maayeh, Nadia Aloul: The first and last minister for women's affairs in Jordan 2015

vided technical support to the government of Jordan to mainstream gender in the political, labor, justice, and education sectors.

According to Nermeen Murad, Chief of Party of Takamol for five years, the Program was able to support the government to conduct gender audits of 11 ministries and government entities, including the ministries of planning, political affairs, labor, health, education, public sector development and agriculture as well as entities like the Legislation and Opinion Bureau in order to identify challenges and devise strategies to improve conditions for women in public sector employment or targeted by public policy and services.²²⁸ “What was immediately clear from the audits was that there were identifiable gender gaps between female and male public sector employees in leadership, benefits, promotions, and work environment,” Murad said in an interview.²²⁹ “Although each organization reported slightly different gender issues, the broader similarities showed that gender stereotypes influenced workplace expectations with women having less access to opportunities for promotion to leadership positions and suffer from what is often an informal culture that hinders their progress. What these audits essentially did was force the government to take stock of its internal behavior and policies and therefore take responsibility for removing obstacles, albeit sometimes informal, blocking women’s progress to leadership positions.”²³⁰

In May 2015, the Council of Ministers formed a Ministerial Committee on Women’s Empowerment engaging multiple relevant ministries and tasked with high-level review of policies and agreements, national regional and international, impacting women’s empowerment in Jordan. The Ministerial Committee was also given the mandate to draft recommendations to the Cabinet.

²²⁸ IREX, *Gender Audits of Selected Public Organizations in the Public Sector: An Overview of Findings 2017*, 6

²²⁹ Murad 2021

²³⁰ Ibid

Social Protection and Human Rights Activist Reem Abu Hassan, who was serving as Minister of Social Development with Ensour at the time was behind the establishment of this ministerial committee. When attending the weekly Cabinet meetings, she noticed that issues related to women did not receive much attention from the various ministers. She approached Premier Ensour with an idea to establish an entity that supported women's causes and would engage the ministries at the highest levels of policy making.²³¹

Minister of Political and Parliamentary Affairs Musa Maaytah, who headed the Ministerial Committee, believes the Ministerial Committee has now become "institutionalized" and is in fact contributing to increasing women's presence in government decision-making positions as well as impacting legislation to increase opportunities for women's empowerment and protection.²³² The minister commented that the Jordanian government has always been committed to empowering women and in adopting all the necessary laws and regulations that would safeguard the well-being of women.²³³

New Protection Facilities

In March 2015, the Ministry of Social Development opened a second family reconciliation center in Irbid which had the capacity to host around 80 women and children. In Amman, the government also allocated another temporary shelter for human trafficking victims at the Family Reconciliation Center (FRC) until 2016 when the government opened an independent shelter for human trafficking victims and named it Karamah or dignity in English. Located in the capital, the shelter was divided into three sections to house around 50 men, women and children. In July 2018, another milestone was achieved. The Ministry of Social Development opened the first shelter to house women whose lives were in danger as a result of an honor-related issue. The shelter was named Amneh House, safe in Arabic, and it be-

²³¹ Abu Hassan 2020

²³² Maaytah 2020

²³³ Ibid

came a safe substitute for the women who would have otherwise been held in administrative detention in prisons.

The PSD and the Ministry of Labor also established a joint anti-trafficking unit during the same period. In 2019, the government introduced the Anti-Human Trafficking Law, which introduced harsher punishments on human trafficking violators. A fund was also established at the Ministry of Justice to provide help and care to those affected by human trafficking.

Historical Law Reforms

Meanwhile, the dialogue on violence against women and other legislation related to labor rights resurfaced again during this decade.

The Lower House of Parliament passed two historical decisions in August 2017. One was abolishing Article 308 of the Penal Code, which used to allow sex offenders to escape punishment if they married their victims.

The second was amending Article 98 of the Jordanian Penal Code, which used to offer leniency to perpetrators of so-called honor killings. The amendments worked to restrict any mitigating circumstances if the victim was murdered for reasons related to family honor.

More High Level Public Positions and Flexible Work

On 14 June 2018, Jordanian women activists cheered as the newly-appointed Prime Minister Omar Razzaz brought seven women to his 29-member Cabinet for the first time in the Kingdom’s history.

The new female cabinet members were appointed to the ministries of social development, energy and mineral resources, tourism, planning and international cooperation among others.

The Labor Laws were also amended to protect women in work, including introducing flexible working hours and providing more nurseries and childcare at workplaces. The discussions around the

Labor Law amendments also opened a dialogue about sexual harassment at work among the Jordanian civil society and legislators.

In 2019, Judge Fidaa Hmoud became the first woman in the Kingdom's history to be named director of the influential Legislation and Opinion Bureau. Hmoud served as a judge at the Amman Court of Appeals, president of the West Amman Court of First Instance and a judge in several courts.

Barakat pointed out in an interview that because women proved themselves in high judicial posts in various courts and other legal establishments, there are now over 270 female judges out of the 1,000 justices in the Kingdom.²³⁴ Barakat also assumed multiple senior posts at the highest courts in Jordan such as the Court of Cassation and the Supreme Court. She was also appointed as the first female Attorney General, supervising sixty district attorneys. "I did not reach these positions easily. I have a family to manage and sometimes I only sleep for a couple of hours to make sure that I fulfil my work duties."²³⁵

New Cases of Violence against Women

Towards the end of the decade, two horrific incidents of violence against women took place in Jordan.

The first incident happened in November 2019, when Jordanians were shocked to learn that a 33-year-old man reportedly gouged his wife's eyes after a domestic dispute causing her permanent disability (blindness). The incident occurred at their home and in front of the couple's two-and-a-half-years-old daughter. Her two brothers aged 11, and 13, were also present in the house when the assault occurred. Fatmeh, a mother of three children gained the sympathy of the Jordanian society at large and mobilized women groups immediately to support her including Mizan Law Group Executive Director Lawyer Eva Abu Halaweh who offered to provide her with

²³⁴ Barakat 2020

²³⁵ Ibid

legal aid. Thousands of people took to social media to protest the brutality of the incident and called on the government to impose stiff penalties on her husband. As a result of the social outrage and the intense reporting in the press and on social media, the government issued a gag order preventing the press and social media users from writing about the case.

Despite the gag order, the JNCW, CSOs and youth groups and champions took the social media protests to the street. Dozens of men, women and children gathered in front of the Prime Ministry under heavy rain to decry the horrific crime and say “Enough” to domestic violence. Some of the statements on the banners read: “Justice for Fatmeh”, “This is for your eyes Fatmeh”, “No to early marriage” and “We want better laws to protect victims of domestic violence.” The following day, the organizers were heavily attacked by the press and conservative legislators who took offense at some of the slogans chanted or carried by the protesters and claimed that some of the slogans were offensive.

The Criminal Court judges also did not tolerate his actions and convicted him of attempting to murder his wife, 38, on 18 May 2020. He was handed a life-prison term for what the three-tribunal judges described as a “horrendous incident.”

The second horrifying incident was the public murder of a young woman, Ahlam, by her father while onlookers who tried to save her were held off by her brothers. According to reports, Ahlam, 40, was murdered by her 57-year-old father who followed his screaming daughter to the street and used a brick to hit her on the head until she died. He then reportedly sat on a stool near her body and drank tea until the police came to pick him up. He claimed “family honor” as his motive. The crime, which happened in July, sent activists and citizens back to the streets to protest her murder. The protest was held in front of the Parliament this time. The organizers of the protest received death threats from conservatives who objected to some of the banners that were displayed during the events, which rejected Patriarchy as a concept informing legislation and society’s mindset. Due to the fact that the Arabic translation for Patriarchy

(Abawi) comes from the root word for father (Ab), critics were able to claim that protestors were threatening the male-guardian concept through an attack on the role of fathers as head of the family.

Women's Football

This decade saw several important international events taking place in Jordan. As a result of Prince Ali's persistence and lobbying, Jordan became the first Arab country to host the 2016 Women's U-17 World Cup and the 2018 Women's Asian Cup.

In reflecting on Jordan organizing the Women's U-17 World Cup, Prince Ali said in an interview for the Washington Post on 3 August 2016, "Jordan can be a catalyst not only for ourselves but also for our region."²³⁶ The Prince stressed that women make up 50 percent of our society and as such "they should be involved everywhere."²³⁷ Prince Ali explained that the reason Jordan hosted the Under-17 Women's World Cup was to start at the base, or at the grassroots level. "We also want to be a model for the region," the Prince announced before the championship started.²³⁸

In his capacity as President of the Jordan Football Association (JFA), Prince Ali also focused on the Syrian refugee camps by introducing the game among the refugees. The JFA held several activities that targeted young girls to give them more incentives and goals to help them deal with the tough situation they are going through. In 2018, Prince Ali included two women in the JFA board. One of the two, Samar Nassar, was named Secretary General of the JFA becoming the first woman in the Kingdom's history to assume this position. Today, there are over 1,000 girls and women playing football in Jordan in various leagues and schools.

²³⁶ Culpepper, *Pride in their Daughters* 2016

²³⁷ *Ibid*

²³⁸ *Ibid*

Personal Status Law

The Jordanian Constitution (Art. 106 to 109) mandates the Personal Status Law to be governed by Sharia Courts for Muslims and by Church Courts for Christians. Unfortunately and in contradiction to Art. 6 of the constitution (“Jordanians shall be equal before the law...”) neither of these courts treat man and women as equals in a number of personal status matters, such as divorce, custody, inheritance etc.

In 2018, a group of female lawyers met to discuss ways to reform family laws related to Christian families. Their work focused on lobbying the Greek Orthodox Church and the church responded by forming a committee to work on a law governing the family relationship.²³⁹ Work is still ongoing by activists to change some of the laws pertaining to inheritance rights for both Muslim and Christian women under the PSL and other related legislation. The activists have been lobbying for these changes and the Church responded in a positive manner. Their next step is to lobby the legislators to adopt their demands and introduce the necessary laws that would work to implement these rights.²⁴⁰

In Jordan there are until this day no female judges serving at Sharia Courts. However, in 2020, a woman was appointed as a judge for the Court of Appeals in the Greek Orthodox Church in Jordan. Activists saw this as an important win especially that several attempts were being exerted to amend articles related to the PSL governing Christian rights.

²³⁹ Abu Hassan 2020

²⁴⁰ Nims 2020

THE JORDANIAN CONSTITUTION AND INTERNATIONAL LAWS

The Battle to Include the Word ‘Sex’ in the Constitution

Jordanian politicians and government officials had always maintained that the Jordanian Constitution addressed both men and women equally in all of its clauses that spell out the rights and obligations of “Jordanians.” It does so in Article 6. However, the women’s movement never trusted the government’s declarations regarding women’s equal constitutional rights as citizens especially since the same constitution delegates all issues related to the Personal Status Law of Muslims to be handled by Sharia Courts,²⁴¹ which do not treat man and women as equals before the law. The women’s movement demanded that the constitution explicitly include the word “sex” in Article 6 of the Jordanian Constitution to confirm equality of men and women.

Article 6 of the Jordanian Constitution stipulates the following:

- (i) “Jordanians shall be equal before the law. There shall be no discrimination between them as regards to their rights and duties on grounds of race, language or religion”²⁴²

²⁴¹ (Article 105) The Sharia Courts shall in accordance with their own laws have exclusive jurisdiction in respect of the following matters: (i) Matters of personal status of Moslems. (ii) Cases concerning blood money (Diya) where the two parties are Moslems or where one of the parties is not a Moslem and the two parties consent to the jurisdiction of the Sharia Courts. (iii) Matters pertaining to Islamic Waqfs. (Article 106) The Sharia Courts shall in the exercise of their jurisdiction apply the provisions of the Sharia law.

²⁴² The Constitution of the Hashemite Kingdom of Jordan 1952

Calls to add the word “sex” intensified in the 2010s as it became apparent that the government, which had always said that the term “Jordanians” refers to both male and female citizens, was in fact intentionally denying equal status to its female citizens especially in rights related to nationality.

In 2011, the government introduced amendments to the Constitution by adding three paragraphs to Article 6 that were indirectly related to women.

They included:

- (i) The State shall ensure work and education within the limits of its possibilities, and it shall ensure a state of tranquility and equal opportunities to all Jordanians.
- (ii) Family is the foundation of society. It is founded on religion, morals and patriotism. The law preserves its legal entity and strengthens its ties and values. (...)

In August 2011, women activists united themselves and intensified their efforts to lobby the government to include the word “sex” in the Constitution. In return, they were promised, by the Royal Committee on Constitutional Review and high-level officials, that the word will be inserted in Article 6 of the Constitution as part of the constitutional review undertaken by the royal committee.

The women’s movement, albeit privately, was also hoping that if they were successful in including the word “sex” into article 6, it would be possible to take the issue of passing the Jordanian nationality of Jordanian women married to non-Jordanians to the Constitutional Court. A positive ruling in favor of the women would guarantee full citizenship rights for Jordanian women.²⁴³ The government asked leading figures of the women’s movement to revise the Constitution in 2011 to make recommendations and they demanded the addition of the word ‘sex’. The women leaders were promised by high-level officials that the word ‘sex’ will be included.²⁴⁴ But to the astonish-

²⁴³ Abu Elbeh 2020

²⁴⁴ Khader 2020

ment of women activists the draft Constitution bill was handed to King Abdullah without the word 'sex'. Jordanian officials privately told women activists that the decision was political. The government informed women's leaders privately that, if amended, it would have allowed Jordanian women married to Palestinians to pass on the citizenship to their children. This would harm the right of return for the Palestinians.²⁴⁵

Women leaders were not happy with the government's step since. Omitting the word 'sex' at the last minute was a real setback for the women's movement. If it stays as is, it will mean that there will always be a tool in the hands of certain officials who can use it at any time to stop women from gaining more rights.²⁴⁶

Impact of International Laws, Conferences and Conventions on Women's Status in Jordan

The impact of international laws, treaties and conventions played a major role in bringing many issues related to children, women, human rights and other topics to the spotlight in Jordan.

The Jordanian government signed and or ratified several international conventions:

- The International Convention on the Elimination of All Forms of Racial Discrimination (CERD) on May 30, 1974 (Accession)²⁴⁷

²⁴⁵ Ibid

²⁴⁶ Khader 2020

²⁴⁷ Accession means: The act whereby a state accepts the offer or the opportunity to become a party to a treaty already negotiated and signed by other states. It has the same legal effect as ratification. Accession usually occurs after the treaty has entered into force. The Secretary-General of the United Nations, in his function as depositary, has also accepted accessions to some conventions before their entry into force. The conditions under which accession may occur and the procedure involved depend on the provisions of the treaty. A treaty might provide for the accession of all other states or for a limited and defined number of states. In the absence of such a provision, accession can only occur where the negotiating states were agreed or subsequently agree on it in the case of the state in question. <https://bit.ly/2S92a5x>

- The International Covenant on Civil and Political Rights (CCPR) on 28 May 1975
- The International Covenant on Economic, Social and Cultural Rights (CESCR) on 28 May 1975
- The Convention on the Elimination of All Forms of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) on 13 November 1991 (Accession)
- The Convention on the Rights of the Child (CRC) on 24 May 1991²⁴⁸
- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on 1 July 1992The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages on 1 July 1992 (Accession)
- The Convention on the Nationality of Married Women on 1 July 1992 (Accession)
- Convention on the Political Rights of Women on 1 July 1992 (Accession)
- Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others on 13 April 1976 (Accession)
- Convention against Discrimination in Education on 6 April 1976 (Acceptance)²⁴⁹
- The Biological Diversity Convention (CBD) on 10 February 1994

²⁴⁸ The Hashemite Kingdom of Jordan expresses its reservation and does not consider itself bound by articles 14, 20 and 21 of the Convention, which grants the child the right to freedom of choice of religion and concerns the question of adoption, since they are at variance with the precepts of the tolerant Islamic Shariah. <https://bit.ly/3v5Wsj5>

²⁴⁹ The instruments of "acceptance" or "approval" of a treaty have the same legal effect as ratification and consequently express the consent of a state to be bound by a treaty. In the practice of certain states acceptance and approval have been used instead of ratification when, at a national level, constitutional law does not require the treaty to be ratified by the head of state. <https://bit.ly/3wm5bh9>

The International Labor Organization conventions that were ratified by Jordan include:

- The Forced Labor Convention on 6 June 1966
- The Equal Remuneration Convention on 22 September 1966
- The Abolition of Forced Labor Convention on 31 March 1958
- The Discrimination (Employment and Occupation) Convention on 4 July 1963
- The Minimum Age Convention on 23 March 1998
- The Worst Forms of Child Labor Convention on 20 April 2000

Meanwhile, Jordan ratified the Arab Charter for Human Rights when it was adopted by the Council of the League of Arab States on 22 May 2004.

The charter affirmed the principles contained in the UN Charter, the Universal Declaration of Human Rights, the International Covenants on Human Rights and the Cairo Declaration on Human Rights in Islam. Some of the articles in the Charter tackled issues such as equality between the sexes, prohibited gender discrimination, and called for greater freedoms to be adopted by Arab countries.

Although Jordan signed dozens of International Conventions and despite the fact that hundreds of delegations participated in various international events, activists believe the first UN World Conference on Women in Mexico in 1975 had the most profound impact on the women's movement and advancement on women's rights in Jordan and elsewhere in the world.²⁵⁰

The Mexico conference, followed by the United Nations Decade for Women (1976-1985), launched a new era in global efforts to promote the advancement of women by opening a worldwide dialogue on gender equality.²⁵¹ It focused on several goals such as gender equality, ending gender discrimination and increasing women's con-

²⁵⁰ UN Official Website on First World Conference on Women

²⁵¹ Ibid

tribution to world peace. The Mexico conference also resulted in the adoption of two official documents: World Plan of Action and the “Declaration of Mexico on the Equality of Women and their Contribution to Development and Peace.”

The World Plan of Action provided governments with a framework to commit to and follow in order to ensure that women had equal access to resources such as education, employment, housing, and family planning within the ten years between 1976 and 1985.²⁵²

Four years later, the UN General Assembly adopted the CEDAW which entered into force in 1981.

CEDAW included 30 articles, which defined what constituted discrimination against women and drafted agendas for national action to end such bias.²⁵³ CEDAW defines discrimination against women as:

Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.²⁵⁴

States that accepted the Convention were essentially making a commitment to adopt serious measures to end discrimination against women in all forms, including:

- to incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women;
- to establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and

²⁵² Valladares, *The 1975 Mexico City World Conference on Women* 2020

²⁵³ *Convention on the Elimination of All Forms of Discrimination against Women* New York 1979

²⁵⁴ *Ibid*

- to ensure elimination of all acts of discrimination against women by persons, organizations or enterprises.²⁵⁵

A year later, the United Nations Committee on the Elimination of Discrimination against Women was established comprising 23 international experts on women's issues. The Committee members were entrusted with watching over the progress made for women in the countries that are state parties to the 1979 Convention. Their duties were also to monitor the implementation of national measures to fulfill this obligation as well as making recommendations on issues affecting women.²⁵⁶

The Third World Conference on Women took place in Nairobi in 1985. The international event aimed at reviewing and appraising women's achievements. It also marked the end of the announced United Nations Decade for Women.

A final document was adopted by consensus during the Nairobi conference.

It contained strategies for the rest of the century designed to improve the status of women and integrate them into all aspects of development.²⁵⁷

Almost a decade later, the issue of violence against women was pushed to the surface thanks to the 1993 United Nations General Assembly's decision to adopt the Declaration on the Elimination of Violence against Women.

UN Women considered this Declaration as the first international instrument that explicitly addressed violence against women while providing a framework for national and international action.

²⁵⁵ Ibid

²⁵⁶ UN Women, *Global norms and standards: Ending violence against women* n.d.

²⁵⁷ UN Official Website on Third World Conference on Women

The Declaration defined violence against women as any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women.²⁵⁸ This included coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.²⁵⁹

The UN took a more direct approach towards tackling harmful practices against women during its twenty third Special Session at the UN headquarters.

The event was entitled "Women 2000: Gender Equality, Development and Peace for the 21st Century."

The governments that attended the General Assembly’s special session reaffirmed their commitment to the goals and objectives contained in the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women in 1995.

Governments were urged to adopt all measures that would ensure the elimination of all forms of discrimination against women.

The states were also encouraged to take concrete measures that would protect women from harmful practices such as so-called honor killings.²⁶⁰

In 2001, the United Nations General Assembly took a strong position by addressing the issue of so-called honor killings explicitly. As a result, Resolution 55/66 "Working towards the elimination of crimes against women committed in the name of honor" was adopted.

²⁵⁸ UN Women n.d.

²⁵⁹ Ibid

²⁶⁰ Resolution adopted by the General Assembly [on the report of the Ad Hoc Committee of the Whole of the Twenty-third Special Session of the General Assembly] 2000

The Resolution reaffirmed the obligation of all states to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations, and their obligations under various human rights instruments and conventions.²⁶¹

The Resolution also stressed that crimes committed against women in the name of honor are a human rights issue. In other words, the states have an obligation to exercise due diligence to prevent, investigate and punish the perpetrators of such crimes. The countries are else expected to provide protection to the victims. Any failure to do so constitutes a human rights violation.

Controversy Surrounding CEDAW

Jordan signed CEDAW in 1980 and ratified the Convention in July 1992 with three reservations like many Arab countries.

The initial reservations included:

Article 9 (2): States' Parties shall grant women equal rights with men with respect to the nationality of their children.

Article 15 (4): States' Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

And Article 16 (1): States' Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

The Kingdom's reservations were related to the following clauses:

(c): The same rights and responsibilities during marriage and at its dissolution;

²⁶¹ Resolution adopted by the General Assembly [on the report of the Third Committee (A/55/595 and Corr.1 and 2)] 2001

(d): The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;

(g): The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation.²⁶²

Scholars pointed out that the introduction of CEDAW in 1979 by the UN encouraged women's groups in Jordan and worldwide to address certain topics that were considered "taboo" during that period. Some of the topics included domestic violence, so-called honor killings and legislation that discriminates against women in marriage or family affairs.²⁶³

It took the government of Jordan around 15 years to publish the convention in the Official Gazette. The government concluded that the composition of the Lower House of Parliament in early 2000 would most probably defeat the bill.

During that period, tribal leaders, conservatives and Islamists would vote against local and international laws and conventions that are related to women.²⁶⁴

In 2007, Jordan became a member of the International Human Rights Council and the government decided to publish CEDAW and other international conventions in the Official Gazette without sending them to the Parliament.

Government officials concluded that such a move will not cost the treasury any extra money and the Constitution allowed the government to pass international agreements without the Parliament's prior approval. In understanding this allowance for exception, a

²⁶² Convention on the Elimination of All Forms of Discrimination against Women New York 1979

²⁶³ Al-Attiyat, Shteivi and Sweiss 2005, 28

²⁶⁴ Al-Atiyat and Barari, *Liberating Women with Islam? The Islamists and Women's Issues in Jordan* 2010, 362

group of women and human rights organizations united their efforts to lobby the government to lift the three reservations in CEDAW.²⁶⁵

In 2009, King Abdullah dissolved the Parliament that had served for only two years following popular demands. Citizens and veteran former politicians charged that the Lower House of Parliament, in its current makeup, was inefficient and did not serve people's interests.

During the Parliament's absence, the government took the step to lift its reservation on Paragraph 4 of Article 15 in CEDAW which related to women's freedom of mobility and choice of residence without the consent of their husbands or other male family members.²⁶⁶ In May 2009, a Royal Decree was issued approving the government's recommendations.

Although unmarried Jordanian women had had the freedom to travel freely and live alone long before the government's decision to lift the reservation, the move was immediately attacked by the Islamic Centrist Party (ICP) and the IAF. ICP members described the Convention as a tool of "Cultural Globalization" and called on the government to withdraw its ratification. The IAF, on the other hand, expressed its rejection of the entire Convention and through one of its leaders accused the government of violating the Constitution and the country's religion, which is Islam. "Lifting the reservation will allow wives to leave their husbands' homes whenever they wanted. This will destroy the families' structure," Hammam Said, an IAF leader charged.²⁶⁷ The female members of Islamist parties also slammed the decision arguing that this "goes against the heart of Islam's prescription of complementarity of roles for men and women in family and society." They also charged that CEDAW promoted "women's sexual freedoms" and that "it gives women full control over their bodies." They said they believed CEDAW regarded religion as a "cultural barrier that hinders women's progress and (stands in the way of) creat-

²⁶⁵ Ibid

²⁶⁶ Hussein, Female MPs call for coalition to address women issues 2017

²⁶⁷ Al-Atiyat and Barari 2010, 363-364

ing a universal Western culture.”²⁶⁸ The two parties also accused the government of implementing a Western agenda and issued a joint statement in late 2009 with the title: “Liberating women with Islam, not from Islam.”²⁶⁹ The IAF held a press conference in April 2009 demanding the government withdraw from CEDAW which they said was a new tool of “occupation” created by the West. “CEDAW is aimed at fragmenting and reconstructing the Islamic society to make it more Western,” they claimed during the press conference.

IAF leader the late Ibrahim Zeid Kilani also attacked plans to publish the Convention in the Official Gazette saying it is being “forced on society.”²⁷⁰ Those who are seeking to publish CEDAW in the Official Gazette are basically trying to bypass the Jordanian Constitution, the PSL, and the Parliament, Kilani charged. The Islamist leader believed the world is divided into two civilizations: “The Islamic civilization that abides by the teachings of Sharia and protects the virtue of the family, and Western civilization that is materialistic non-religious and is focused on eating, drinking and enjoying their time. (...) In this Western civilization, women want to be equal to men. So, they leave their house when they want and marry who they want without the knowledge of their male guardians.”²⁷¹ In our civilization, women complement men and that is why the Western civilization “has become a society of prostitution, nudity, and bastards.”²⁷² And that, according to Kilani, “is the kind of civilization that CEDAW wants to spread [in our societies] ... they want to plant new explosives that detonate and destroy our society’s values and its morality.” Kilani issued a direct threat to individuals and organizations that supported CEDAW: “Anyone who calls for its adoption basically has declared war on God, his Prophet (PBUH) and the Islamic religion and should be declared an apostate.” He urged male tribal leaders, religious scholars, the media, and deputies and senators to defend the honor and reputation of the Arab nation by rejecting CEDAW. IAF

²⁶⁸ Ibid

²⁶⁹ Ibid

²⁷⁰ Jordan Days TV 2009

²⁷¹ Ibid

²⁷² Ibid

member Maysoun Darawsheh spoke at the press conference, describing CEDAW as a “perilous convention” and one of the most dangerous conventions related to women because it calls for total equality between men and women. “It is impossible for men and women to be equal because they are different and this would be unjust to women,” Darawsheh said, adding that CEDAW championed the rights of gay people, supported same-sex marriages, allowed women the right to choose their husbands and sanctioned relationships outside marriage. After the conference, the IAF mobilized at multiple levels to campaign against CEDAW and build a critical mass against it including appointing a female spokesperson solely charged with attacking CEDAW during public and media debates. The IAF’s Women’s Division was also mobilized to rally religious entities and influential public figures to pressure the government to go back on its decision to lift the reservation. The IAF also reached out to the Grand Mufti of the General Iftaa’ Department the late Nouh Qudah to issue an opinion on CEDAW. Qudah reportedly became personally involved and issued a ruling that also criticized CEDAW and charged that it contained articles that contradict the Islamic Sharia.²⁷³ A fatwa was issued on 10 May 2010 in response to a question that was posed by a citizen: “What is the assessment of CEDAW, and do its articles comply with the provisions of Islamic Sharia law?”²⁷⁴

The General Iftaa’ Department’s answer was:

“The CEDAW contains clear violations of the Islamic Sharia, especially what was mentioned in Article (15) and (16) thereof, and we oppose and denounce everything that violates Islamic Sharia, and I want to clarify to everyone that lifting the ban on the entire convention is in violation of Islamic Sharia, but the society will not be affected by it because the reference point for our society is the provisions of the Islamic Sharia, and not any agreements that contradict the Sharia. The closest example is when all Muslim daughters are married, they do it with the consent of the male guardian, and it is rare for a woman to marry without her male guardian for special cir-

²⁷³ El Muhtaseb, J. Brown and Kayyali 2016, 732

²⁷⁴ The Ifta Department Fatwa on CEDAW 2010

cumstances. Moreover, the PSL is derived from the Islamic Sharia as stipulated in the Constitution, and therefore we expect our fellow deputies to oppose this agreement when it is put up for discussion (and God will bring consequences); because personal status issues are a relationship between a person and his/her Lord, and what is permissible is halal and what is forbidden is haram, and the slave does not intercede in the hands of his Lord the positive law, which is not based on Islamic Sharia. God knows better.”²⁷⁵

Researcher on economic policies and women’s rights, former UNWomen Policy Adviser Nisreen Alami saw the Islamist attack on CEDAW and their denunciation of the use of the word gender as an “aggressive attack against women’s rights.”²⁷⁶ “They want to keep the current status and continue to oppress women by rallying people against the concept of ‘gender’ and CEDAW as a framework for guaranteeing women’s rights.” Islamists and conservatives are using the government’s decision to lift one of the Kingdom’s reservations on CEDAW as an “inroad to attack and to delegitimize all the work on social justice and women’s rights.”²⁷⁷

Islamists’ and conservatives’ accusations that the women’s movement is driven by a Western agenda is not only unfair but also historically inaccurate. The movement has been lobbying for these rights since the 1940s long before CEDAW, the Beijing Conference or other international conventions existed.

Women activists pointed out that while the struggle for women’s rights started in the West, it was mostly led by the middle and working-class feminists as well as progressive men and women worldwide” and is therefore a reflection of a global consensus on equality and human rights. The best way to describe the global movements for women’s rights was to say that “social progress was the fruit from all and for all.”²⁷⁸ The Chief Islamic Justice Department

²⁷⁵ Ibid

²⁷⁶ Alami 2020

²⁷⁷ Ibid

²⁷⁸ Introduction to Email Interviews, Current Challenges Facing the Arab Women’s Movements 2003, 85

also took a stance against the government's decision to lift the reservation on CEDAW's article on freedom of travel and residence and organized meetings with relevant cabinet ministers to convince them to reverse Jordan's decision.²⁷⁹

However, and despite the concerted efforts of the Islamists and conservatives, in November 2012, Prime Minister Abdullah Ensour announced that the government remained committed to the full implementation of CEDAW.²⁸⁰ "We believe the reservation Jordan continues to have on one article of the treaty (on passing the nationality to the children of female citizens married to non-Jordanians) will not detract from our respect for the Convention," Premier Ensour said. He also pledged to revise the reservations, hopefully soon."²⁸¹

The premier's remarks were welcomed by women activists but they, nevertheless, staged a sit-in in front of the Prime Ministry to pressure the Premier to honor his pledges to incorporate the provisions of CEDAW into the Jordanian legislation.

The IAF was also swift in its response to Ensour's pledges and issued a statement that accused the prime minister of succumbing to Western pressure. The Islamist political party's women's branch organized a human chain in one of the capital's busy streets which demanded the Premier apologize and retract his statement. The Islamists claimed that Ensour was succumbing to pressure from other governments and international organizations whose values, they said, "do not comply with our traditions, culture, morals or beliefs."²⁸² Pointing out that Jordan has a Personal Status Law that regulated people's lives, the IAF insisted that it was unnecessary to adopt a Western convention that will harm the structure of the Jordanian families. Islamist leader Marwan Faouri went as far as declaring war

²⁷⁹ El Muhtaseb, J. Brown and Kayyali 2016, 732

²⁸⁰ Hussein, Activists urge PM to commit to statement on reviewing CEDAW reservations 2012

²⁸¹ Ibid

²⁸² Ibid

on CEDAW claiming that this is a “form of cultural globalization,” and “a form of control practiced by the UN on member countries.”²⁸³

Despite the apparent win for the women’s movement on CEDAW and the government’s support and observation of its commitment to the provisions of the convention, a challenge remains on the full incorporation of the CEDAW provisions into Jordanian laws. This is because CEDAW has not yet gained endorsement by Parliament which remains the final step necessary to give it legal legitimacy in Jordan and therefore pave the road for it to become incorporated into domestic laws.

²⁸³ Husseini, IAF women members protest against CEDAW 2012

THE FIGHT ABOUT 'HONOR'

Activism in the mid-1990s expanded and intensified to expose murders carried out in the name of so-called honor.²⁸⁴ The focus of activists was on three main priorities: exposing the brutal murder of women for reasons related to family honor, the lenient sentences the perpetrators of such crimes were receiving and lastly to highlight the fact that women escaping the threat of murder for so-called honor reasons were in fact imprisoned or kept under administrative detention by the state for indefinite periods and without a charge. What was surprising in looking at the cases of the early 1990s when this issue was gaining the attention of activists, was that the sentences handed down by the Criminal Court in such cases ranged from three months to two years in prison for murders that were mostly committed with premeditation.

Meanwhile the women, who were supposedly being shielded by the state from their families, were apparently being held in prisons for longer terms with officials arguing that it was to “protect women from being killed by their male family members.” This legal practice was found by activists to be particularly outrageous since individuals who threaten other people’s lives should themselves be incarcerated and not the other way around. Activism and advocacy

²⁸⁴ The author, Rana Husseini, is well recognized in Jordan for her early activism and advocacy on this issue and has written a book entitled “Murder in the Name of Honor” which was published in 2009. Her personal involvement was triggered after she started reporting on these murders during the first years of her career as a journalist for The Jordan Times. She went on to become a prominent activist both locally and internationally advocating for more public awareness and legislative change to safeguard women facing threats to their lives in the name of honor and impose stiffer sentences against the perpetrators.

around this archaic and brutal “tradition” of murdering a woman to cleanse the “family honor” has been largely successful in lifting the “taboo” off discussing it and changed perception from regarding it a private matter to a public interest issue. Without this effort by the women’s movement and other human rights CSOs, so-called honor crimes were largely ignored by the media, government officials, policymakers, parliamentarians and the public at large.

What is termed a so-called honor killing is essentially the murder of a female family member by one of her male relatives, usually a brother or a father, because her behavior was seen as tarnishing the family or tribe’s standing in society and reputation. Her “crime” could range from engaging in an extra-marital affair, to being a victim of malicious and unfounded rumors, suspicion of a relationship with a man, rape, incest, or losing her virginity in a consensual relationship outside marriage. In some instances, being absent from her home without permission or notice, choosing to marry against the family’s wishes, or even being spotted talking to a man who is not a member of her immediate family could result in a woman’s murder.

There have been cases where financial and inheritance matters were the hidden reasons behind the murder of female relatives but, to cover the crime, they claim that they were seeking to wash the family’s honor. Former Prosecutor General Sabr Rawashdeh encountered such cases, when he was tasked to review all murder trials before allowing appeal in the 1990s.²⁸⁵ Although some openly admit to the murder and hand themselves to the authorities, there are other cases where the killers go to some effort to camouflage their crimes as accidents or suicides. In most of those cases, police investigations into the accident are also too superficial or lack the attention to detail in the investigation to uncover the truth.²⁸⁶ Rawashdeh gave such an example of a young woman from southern Jordan who had premarital sex and became pregnant as a result. She underwent a secret abortion with the help of her partner. “At home afterwards, she became ill, and her family took her to a doctor. Not knowing she was

²⁸⁵ Human Rights Watch 2004

²⁸⁶ Ibid

unmarried, the physician informed her family she had been pregnant," the law-enforcement official stated. On the way home from the hospital, the family's car - with only the daughter inside it - went over a cliff into a valley, he added. Her relatives reported her death as an accident, and the police and courts believed them." But Prosecutor Rawashdeh did not.²⁸⁷

Jordanian sociologists and officials attributed so-called honor killings in Jordan and other countries in the region to the rapid change of the society's structure and what they described as "imposed changes" on the expected role of women.

Former police officer Bashir Bilbeisi conducted an important study in 1996 analyzing 150 so-called honor crimes out of a total of 503 homicides from 1990-1995. Bilbeisi concluded that mass immigration from rural, usually conservative and closed environments, where women and men are most often segregated, to an open urban society, where males and females mix, work and study together, caused families to become more anxious and therefore suspicious of their female members.²⁸⁸

Historically, countries of this region were considered rural agrarian and tribal societies where people lived a simple life. The rapid urbanization and population growth forced a rapid social change and effectively introduced new pressures and frustrations for male members which they invariably released negatively within their homes.²⁸⁹ The most likely victims of the men's frustrations were women and children.²⁹⁰

Dr. Sari Nassir, a veteran sociologist attributed the incidence of so-called honor crimes to what he described as the sudden and quite extensive departure from traditional, tribal and agricultural small societies in the Middle East. These societies went through a sudden change resulting in the disappearance of the old social norms and

²⁸⁷ Ibid

²⁸⁸ Bilbeisi 1996, 7,11

²⁸⁹ Bezzi, *Women and the Law in Jordan: Islam as a Path to Reform* 2016, 595

²⁹⁰ Ibid

values. “In the past, it was a small society and within that society the female’s role was set and clear (...) She was brought up by her mother and got married and that was that.” But as the status and role of women began to change, and their contact with males outside their family circle expanded, the new and more public role of females began to clash with the old and set conservative attitudes. According to Nassir, the change is occurring much faster than change in the mentality of the men in their families.

Former United Nations Special Rapporteur on Violence against Women, Radhika Coomaraswamy, takes this analysis one step further by linking the resistance to change by men to their need to maintain control over their female family members (patriarchy) and vagueness of the concept of honor in this context. “Honor is a magic word, which can be used to cloak the most heinous of crimes and as a concept, honor is especially powerful because it exists beyond reason and beyond analysis. But what masquerades as honor is really men’s need to control women’s sexuality and their freedom,” Coomaraswamy said. Women are seen as the property of men and they have to be obedient and passive, not assertive and active. (...) Their element can result in an imbalance of power relations within the parameters of the family unit.” Coomaraswamy added: “Women are seen to embody the honor of the men to whom they “belong.” As such they must guard their virginity and chastity.²⁹¹

The Jordan Times, the only English Language daily in Jordan until 2021, effectively launched serious reporting on the issue of so-called honor crimes. In 1993, the newspaper started reporting on crimes committed by male family members against their female relatives citing the need to cleanse the family’s honor.

Reports were coming in of young women dying as a result of brutal attacks by their families. Cases included a woman who was stabbed more than 40 times, another who was shot 22 times, another

²⁹¹ Coomaraswamy, Report of the Special Rapporteur on the violence against women, its causes and consequences 2002, 13

who was set ablaze and yet another who was smothered with a pillow.

A particularly heinous crime was the brutal and horrific murder of a 16-year-old schoolgirl named Kifaya (which means enough in English). Kifaya was raped by one of her brothers after he laced her tea with sleeping pills. She, as a result, became pregnant, underwent a secret abortion, and was swiftly married off to a man who was 34 years her senior. He divorced her after six months and as a result her death sentence was basically signed by her uncles that day. Her brother slit her throat to fulfill their orders. In their opinion, she was at fault because she “seduced her brother to sleep with her.” Most shocking was the narrative of blame assigned to the teenage victim. Where her family should have been the ultimate source of support and care to the victim of a traumatizing experience, they were laying the blame on the young girl who was targeted by the brother.

The Jordan Times has an elite readership of Royal family members, decision-makers, the government, diplomatic missions and university students who are learning English. At the time that The Jordan Times was reporting on crimes that were committed in the name of honor, the Arabic press shied away from reporting these murders in any meaningful detail or just ignored the subject altogether.

If reported at all, the Arabic press would carry three or four lines about a nameless woman killed by a male member of her family and that the police are investigating the incident. Absent from those reports was any information about the victim, her dreams and goals in life or the consequences that led to her murder. More often than not the report would be carried on an obscure page in the paper or in a less prominent location on the page.

Over time, awareness of crimes carried out in the name of honor was growing in Jordan and, as The Jordan Times reports were being picked by the international press, the phenomena started gaining international attention.

Royal family members, in turn, began to lend their support to the cause with Prince Hassan being one of the first Royals to publicly

address the issue in August 1996. Prince Hassan, who was delivering a keynote speech in a conference on violence against school children, stopped halfway through his speech to talk about the issue of so-called honor killing. “It must be clear to society and its various institutions that ‘crimes of honor’ have no religious justification nor are they sanctioned by Arab patrimony,” Prince Hassan said,²⁹² “and if we continue to condone the false concept of ‘crimes of honor’ which can only unravel the fabric of society we would be abandoning the concept of civilized life.”

King Hussein also touched on violence against women during his address to the Parliament on 30 November 1997 when he said women in Jordan were still being exposed to “inhuman practices” that deprived them of their basic essential rights. “That is why, we must pay serious attention to some of the dangerous phenomena that remains a source of women’s suffering and which, unfortunately, constitute an inhuman violation of their basic rights.”²⁹³ King Hussein added, “the most serious and dangerous of those is the hidden violence, which was the focus of many international conferences.” This does not benefit our Arab and Islamic society, the society of solidarity.”²⁹⁴

King Abdullah’s chief adviser for religious and cultural affairs Prince Ghazi bin Muhammad said King Hussein invested the full weight of his “unquestionable moral and tribal authority in decrying so-called honor crimes by initiating a campaign in Jordan to combat those killings.”²⁹⁵ That is why, Prince Ghazi continued, King Hussein made a passionate plea to Parliamentarians in November 1997 to condemn violence against women and children.²⁹⁶ Two years later, and upon royal directives from King Hussein, government religious

²⁹² Honor crime victims constitute up to double the officially released figures 1996

²⁹³ King calls for an end to violence against women, children 1997

²⁹⁴ Ibid

²⁹⁵ bin Muhammed, *The Tribes of Jordan at the Beginning of the Twenty-first Century* 1999, 45

²⁹⁶ Ibid

establishments and leading figures publicly condemned so-called honor killings for the first time in the Kingdom's history.²⁹⁷

Queen Noor was also outspoken on this topic since the 1990s and was a great supporter and advocate of women and children's rights. During an interview with CNN's Christiane Amanpour in the 1990s, Queen Noor spoke of the work done in Jordan combating these crimes. "This type of violence against women is not consistent with Islam or with [the Jordanian] Constitution...this [legal] area is being reviewed and amendments are being proposed to make these laws more consistent with Islamic law and the Constitution." Queen Noor added that she has "very strong personal feelings as a Muslim, as a woman, as a wife and as a mother about this form of violence and every form of violence against women."

Prince Ghazi also criticized so-called honor killings in his book on the 'Tribes of Jordan.'²⁹⁸ He said it was hard to imagine that 'honor crimes' have their justification in tribal culture and/or in Islam. "In fact, there is social pressure to commit 'honor crimes'," Prince Ghazi wrote in his book. The origin of this lies in ignorance of Islam and tribal customs and in the legal loophole that has hitherto facilitated their existence in Jordan."

The women's movement, which had touched on the issue briefly in the 1970s and 1980s, also worked to bring attention to this cause through their activism, civil society action and advocacy work.

The National Committee to Eliminate so-called Honor Crimes

In mid-1999, the Jordanian National Committee to Eliminate so-called Honor Crimes was formed by an independent group of passionate young men and women who wanted to make a difference in how these murders are perceived within society. The Committee members included the author of this book, Asma Khader, a well-known lawyer and activist on behalf of women; Muna Darwazeh, a

²⁹⁷ Ibid

²⁹⁸ Ibid, 44-45

TV production company owner and fitness instructor; Basil Burgan, a pharmacist and activist; Maha Abu Ayyash, a sculptor and copywriter; Najwa Ghannoum, an assistant manager and activist; Muna Abu Rayyan, a PR and marketing specialist; Sultan Abu Maryam, agricultural engineer; Khalid Kasih, food factory owner; Samir Abdul Aziz, engineer; as well as Ruba Dabis and Nisreen Hannon, who were both university students at the time. The aim of the committee was to raise public awareness about the issue and encourage the government to take a more serious stance towards these murders. Their work was focused on changing people's attitudes and encouraging society, policymakers and law-enforcement officials to regard women as equal to men in their rights and duties.

The Committee prepared a pamphlet, which included on one side the names, ages and years women were killed in Jordan and also carried legal, social and religious information relevant to so-called honor killing in Jordan. They also prepared a petition to collect signatures from Jordanians who wanted to abolish Article 340 and all other discriminatory laws against women.

The petition read:

"We are a group of Jordanian citizens who have no personal, political, or racial interests, but are gathered with one unifying issue as free individuals, which is our right to a good and safe life, free from violence in a society that protects the rights of all, which abides by the Constitution that assures equality to all in front of the law in rights and duties.

Through the years, our country has witnessed abhorrent crimes that are refused by every clear-thinking and honest Jordanian. These crimes were committed in the name of honor, and those who have committed them received soft sentences, which in turn encouraged their belief and that of others that the crime they committed is socially acceptable.

Since the victims have no longer a voice to raise, and since we jealously guard the life and the safety of all Jordanian citizens and the right of each Jordanian to live in peace and harmony based on respect

for human dignity, individual rights, justice, security, fair trial and defense and because these crimes contradict Islamic law (Sharia), the Constitution and the International Convention on the Elimination of Discrimination Against Women (CEDAW), we express our support of the decision of the Minister of Justice Hamzeh Haddad and the government, who, in moving to abolish Article 340 of the Jordanian Penal Code, have acted according to the spirit of His Majesty King Abdullah's directives to eliminate all forms of discrimination against women.

Based on these principles, we decided to organize this campaign to practice our civil rights to demand that legislative, judicial and administrative authorities and the various national official sectors take all necessary measures and use all legal, democratic means at their disposal – judicial, legislative, educational and media – to eliminate this ugly phenomenon.

In the name of our sisters, daughters and mothers who do not have any voice, in the name of those who this minute unjustly suffer different forms of violence and injury to protect honor, with no one to protect them and guarantee their human rights, we raise our own voices.

We call for the immediate cancellation of Article 340 in its entirety, which reduces penalties and exempts those who kill or injure in the name of honor.

We stress the need to implement the law so as not to waste any chance to punish killers and to show society that these crimes will not be tolerated. We stress the need to enforce a fair and preventive punishment against anyone who commits crimes against women or a female in the name of honor.

We call on all concerned citizens of this country to share our work to ensure that this initiative is a national effort which allows Jordanians to express their opinion and help the authorities to become aware of the public will in order for the authorities to take appropriate and necessary decisions to protect the safety of dozens of innocent women, who are victims of traditions and social norms that have no basis in Islam, the Jordanian Constitution or basic human

rights. We have prepared numbered petitions [for those who wish to raise their voice against these crimes].

Jordanian citizens who are legally eligible to vote may sign these petitions.

Our aim is to collect thousands of signatures to emphasize the desire of a large percentage of voters to cancel Article 340 of the Jordanian Penal Code and to work intensively with all means available to abolish this inhuman practice.

We launch our campaign by appealing to all citizens to take the initiative and sign this petition.”²⁹⁹

The Struggle to Abolish Article 340

Almost a month before the campaign was to be launched, a special committee at the Ministry of Justice (MoJ) canceled Article 340 as part of its revision of the Jordanian Penal Code.

Article 340 of the Jordanian Penal Code for the year 1960³⁰⁰ stipulated:

a. “He who discovers his wife or one of his female relatives committing adultery (with a man) and kills, wounds, or injures one or both of them, is exempted from any penalty.”

b. “He who discovers his wife, or one of his female relatives with another in an adulterous situation, and kills, wounds or injures one or both of them, benefits from a reduction in penalty.”

c. The right to self-defense shall not be used against who benefits from this excuse and the provisions of aggravating factors or circumstances shall not apply against such person.

²⁹⁹ The Jordanian National Committee to Eliminate So-Called Crimes of Honor 1999

³⁰⁰ The Jordanian Penal Code No.16 of 1960 is based on the Ottoman Law of 1858, which is derived from the French Criminal Law of 1810.

The MoJ committee introduced new recommendations to Article 282 of the Penal Code that toughened the punishment for adulterers and referred its recommendations to the Lower House of Parliament for voting.

The proposed amendments came with four justifications for amending Article 340:

1. The existence of the article violated the Constitution since it allowed individuals to take the law into their own hands.

2. It discriminated against women since the leniency in the punishment was only granted to men.

3. It violated the Islamic religion since four witnesses of good reputation are needed to testify to an act of adultery. The state or the ruler are the only ones entitled to inflict punishment on the 'guilty'.

4. The law needed to be changed in response to Western human rights organizations' constant criticism of the existence of Article 340.

The fourth justification basically backfired on the amendments and the advocacy that happened to bring the issue to this point. Conservatives, who often used the "Western interference" excuse to attack civil society's work on women's empowerment took advantage of the fourth justification to shed doubt on the validity of the proposed amendment and undermine the work of activists.

The irony about Article 340 is that it is based on the Napoleonic Code but conservatives and Islamists, who by this time were also focused on rejecting all proposals for amendment, held tightly to the existing article despite its "Western" origins. They, nevertheless, continued to accuse the committee members, and other champions of reform, of being "agents of the West" who they said were pursuing an "ultimate goal to spread Western values, liberate women sexually and destroy the morals of society."

There was a view among some of the committee's members that the real concerning article and the one that is more urgently needed was Article 98 of the Penal Code and not Article 340.

Article 98 stipulated:

“Whoever commits a crime while in a state of rage which is the result of an unjustifiable and dangerous act committed by the victim, benefits from a mitigating excuse.”

The article was meant to address all murders that are committed in a fit of fury whether it was committed by men or women. It was also the most commonly cited article in court verdicts related to so-called honor killing. What this article effectively allowed is the perpetrator being able to get away with his/her crime with a mere slap on the hand allowing them to walk away from their crime without penalty or only receiving a light sentence of a few months.

In the hundreds of court verdicts that were delivered at the time, the perpetrators’ initial confessions and description of the events leading to the murder showcased, in detail, the intentional and premeditated planning leading up to the murders. But by the time the cases were referred to the courts, the killers would have had a chance to consult with their lawyers, and their description of the events would almost always have changed. The new confessions in court would describe a series of circumstances indicating spontaneous action, removing premeditation and preparing the argument for a fit of rage excuse. The majority would claim that they had received unexpected information from friends or a family member about their female relatives’ immoral behavior or pregnancy. When they confronted the victim with the “unexpected information”, the victim would become rebellious and challenge them. The most common story line seen in court notes, according to testimonies of perpetrators, was the victim shouting: “This is my body, and I am free to do anything I want with it and sleep with whoever I want.” Ironically, the perpetrators, would be carrying a knife, a gun, an automatic weapon, a blunt object or even a gallon of kerosene when they hear these statements uttered by the victim.

It comes as no surprise therefore that most killers would claim in court that they “lost control of their temper and balanced thinking” and murdered the victim in rage. The courts considered the victim’s apparent challenging statements, provided by the defendant, as

“proof” to grant him/her a more lenient sentence. Other family members would be summoned by the lawyer to testify about her history of “immoral behavior.”

The pattern that these court cases followed would become predictable. The killer would always provide a prepared confession, there would be very little evidence to implicate the defendant and protect the victim, any evidence presented to the court would almost always be subjective based in statements from the perpetrator and the family.

In March 1999, the committee to eliminate so-called honor crimes took the advice of Asma Khader and focused their attention on Article 340 of the Penal Code. Khader had argued that amending Article 340 would be more feasible to address and that, despite the fact that Article 98 was more broad, she felt it would be very difficult to amend Article 98 because it dealt with general cases. She felt that amending Article 340 would signal the beginning of a symbolic activism movement that would eventually lead to eliminating Article 98.

On 23 August 1999, the Committee held a press conference under the slogan “Right to Life and Fair Trial.” They appealed to the public to join the campaign and sign a petition calling for abolishing of the article. The petition, which already had 3000 signatures, encouraged Jordanians to make their voices heard and make a difference.

King Abdullah and Queen Rania spoke against so-called honor crimes on several international occasions and supported local initiatives and efforts of activists and civil society in this regard. During an interview with a French television in November 1999, King Abdullah described so-called honor crimes as “a problem not only for Jordan but for all the Third World.” The King said that “Jordan is the first country to actually identify the issue and try to deal with it.”³⁰¹

³⁰¹ King Begins 4-day State Visit to France 1999

In fact, King Abdullah encountered a real story when he was a prince leading an army unit. A soldier turned himself in to him and informed him that he had murdered one of his female relatives to cleanse his family's honor.³⁰² "This soldier was one of the best in my unit, but he was chosen by his family to cleanse their honor and succumbed to their pressure," the King wrote in his book that was published in 2011. He lamented the "meaningless and senseless loss to humanity" with not only the young woman's loss of life but also the man who was turned to the military courts to face trial and punishment. But when he came to power, the King wrote: "I was able to influence the general politics and I was determined to take concrete and practical steps to fight this phenomenon." The King said he worked on encouraging a public campaign that denounced the murders and proposed changes to the investigation procedures as well as amendments to the Penal Code and the justice system itself.

Queen Rania took part in activities to denounce this practice as well. She publicly said "[So-called] Honor crimes have no basis in religion. It was not a practice that was acceptable to the late King Hussein, nor it is to King Abdullah. It is an issue we have to reflect upon, and we realize that something has to be changed. The government and officials are doing their utmost to discourage this practice."³⁰³

Around 15,000 signatures from various parts of the Kingdom were collected on the petition which, as a first step, was to be presented to the Lower House of Parliament.

A month later, the JWU organized a seminar entitled "Honor Crimes ... any improvements?" The JWU vice president Nadia Shmroukh announced at the opening of the event that the organization had received anonymous pamphlets accusing them of encouraging adultery.³⁰⁴

³⁰² bin Al-Hussein 2011, 186

³⁰³ Hussein, Sunday march planned to protest 'honour crimes' 2000

³⁰⁴ Hussein, Activists suggest amending Article 98 to stem honour crimes 1999

Speaker of the Lower House of Parliament, then the late Abdul Hadi Majali, who patronized the event, seemed to have prior knowledge that proposed amendments to Article 340 will face strong opposition by the deputies. In his opening speech he said that “it is important to understand these kinds of crimes and how to deal with them in a manner that ensures human rights instead of directing our efforts to changing and modernizing the laws.”³⁰⁵

Participants issued a statement at the end of the conference calling on Parliament to adopt the initiative and abolish Article 340 and introduce restrictions on the scope of Article 98 of the Jordanian Penal Code. They also called for penalizing people who start false rumors around the conduct of women which could lead to their murders.³⁰⁶

Chief Islamic Justice Sheikh Ezzedine Al-Khatib Al-Tamimi also spoke publicly about the issue for the first time during a regional conference to condemn the brutal murder of women. He said: “Many men and women have been killed because of their relatives’ ignorance. Killers think their victims’ blood is a medal representing their act of heroism and honor. They do not know that God’s anger and curse will remain with them.”³⁰⁷

A few months later Al-Tamimi prepared a paper on the topic that was published in the local daily newspapers. Again, he criticized perpetrators saying: “Some individuals commit gross acts in the name of religion and cause fatal damage and bloodshed to others because of their ignorance. Sharia calls for preserving human life and protecting blood, honor, and humankind. “If the punishment of ‘crimes of honor’ is detainment in a five-star prison, I believe we cannot stop these crimes or this bloodshed, a tougher punishment must be implemented,” Sheikh Al-Khatib Al-Tamimi, who was King Abdullah’s advisor on Islamic Affairs during that time, wrote in his paper.³⁰⁸

³⁰⁵ Ibid

³⁰⁶ Ibid

³⁰⁷ Hussein, Sheikh Tamimi outlines Islam's position on 'honour crimes' 1999

³⁰⁸ Ibid

However, Islamists and conservative members of Parliament fiercely attacked the campaign and all the efforts that were geared towards the abolishment of Article 340. "A Western and Zionist plot to destroy the morals of the conservative society and its women" was the common accusation leveled at activists seeking reform in almost all press statements. They also lambasted the government charging that the step was adopted to appease the West. Islamists took advantage of the Parliamentarians' resistance to change to call for the application of Islamic Sharia Law. They called for closing all nightclubs and brothels in the Kingdom which they described as the "reason behind moral deterioration." IAF leader Abdul Latif Arabiyat said in a newspaper interview that Article 340 defends the society's values and that "abolishing it means eliminating the last line of defense for our morals." If Sharia was implemented in Jordan, we would not see any of these crimes," he stated.³⁰⁹ During an interview with the author at the time³¹⁰ Arabiyat attacked the women who took part in the 1995 Beijing in China. "That event is suspicious because it was calling for same-sex marriages, women's sexual freedoms and the right for women to have abortion," Arabiyat charged. The reaction of Islamists to the UN events as well as their insistence on linking any activism on women's rights to Western agendas raises the question as to why they would believe that the West would disapprove of murdering women but that Islam, as a religion, would condone it. Although this has been the subject of intense academic debate on whether Islam supports violence, many activists in the Muslim world, including a growing generation of Muslim feminists, believe that political Islamists, such as those of the IAF, are in fact misrepresenting the religion and doing a disservice to the image of Islam globally.

³⁰⁹ Husseini, Article 340 survives opposition to keep death grip on women's rights 2000

³¹⁰ The author went to the IAF's headquarters with a Lebanese television crew while helping them make a documentary on the issue. Arabiyat welcomed the author by saying: "Who is behind you?" "What do you mean? You know in Islam, it is against the religion to accuse people of wrongdoing without obtaining proof; Do you have any proof that anyone is behind me? Because if you do not then you should be punished for your wrongful accusations," the author retorted. Surprised by the reaction, Arabiyat laughed sarcastically and said: "I am only joking."

Deputy Mahmoud Kharabsheh, an outspoken critic of women rights activists, was appointed as Minister of State in October 2020. He used his position as MP during the debate on Article 340 to fiercely lobby against the proposed amendments in the Lower House.

He circulated a petition among his colleagues a few days before Article 340 was to be debated in the House. He also blasted the government for what he said was its "invitation to obscenity." "Women adulterers cause a great threat to our society because they are the main reason that such acts [of adultery] happen," Kharabsheh charged.³¹¹ "If men do not find women with whom to commit adultery, then they will become good on their own," Kharabsheh argued.

On 21 November 1999, the Lower House of Parliament rejected the government's draft bill following a heated session.

Parliamentarians took the opportunity to level criticism at women, the government and everyone who called for the abolition of Article 340. They charged that canceling the law will legalize adultery, destroy Islamic ethics and open the door for campaigns that would call for homosexual marriages.³¹²

Prime Minister Rawabdeh's response was brief and focused on the fact that the changes were in accordance with the Islamic Sharia which several deputies challenged.

"Since this law was abolished based on Islamic Sharia then we call for its (Sharia Law) enforcement on all laws governing people's lives in Jordan."³¹³

Almost a month later, the King-appointed Senate went against the Lower House of Parliament's vote and decided to uphold the government's draft bill. During the 40-member Upper House's debate, Senator Leila Sharaf, who is a liberal politician and well-known free-

³¹¹ Hamdan, Amendments to Article 340 on honour crimes face opposition in Parliament 1999

³¹² Hussein and Hamdan, Lower House rejects proposal to cancel Article 340 of Penal Code 1999

³¹³ Ibid

doms activist, said keeping Article 340 in the Penal Code was “an insult to at least half the society.” “Do you think that women would refrain from committing adultery merely to avoid punishment? Why is it always that a woman is the only one blamed for adultery? Doesn’t she have a partner who should be punished?” Sharaf asked the assembly.³¹⁴ The Senate sent the draft bill back to the Lower House for a second debate.

In December 1999, the Committee to Eliminate so-called Honor Crimes members met with Speaker of the Lower House Majali to hand him the petition with 15,300 signatures which were collected in almost six months.

During the meeting, Majali criticized the government saying it acted hastily and “caused the intent of the draft to be misunderstood by the deputies.”³¹⁵

On 26 January 2000, during a brief and calm three-minute debate, the Lower House voted down the draft bill again sending it back to the Upper House. Several deputies argued that the entire Lower House had already discussed the government proposal and voted with a sweeping majority to reject the proposal. They said they were not prepared to discuss it again.³¹⁶ The debate about the law in the lower and upper houses of Parliament was mirrored in the media and online chatrooms indicating that the society at large remained divided on the issue.

In February 2000, Prince Ali, who was an active participant in different online chatrooms, called for a public march to Parliament in support of the cause. The Committee attempted to obtain a permit to hold a march earlier, but the request was rejected by the authorities.

Prince Ali helped facilitate a permission to hold the march on 14 February 2000. Well-known activists, their champions, contacts, friends and supporters were informed of the plan and invited to join

³¹⁴ Ibid

³¹⁵ Hussein, Majali: Government, House acted hastily on issue of Article 340 1999

³¹⁶ Ibid

the march. Emails were also sent to internet companies, the press and women groups urging everyone to join the march. The message of those invitations was:

“We call on each one of you to come and join us to voice our demands. To stress that all of us Jordanians are against the so-called honor crimes and the cold-blooded murder of women and girls. To insist that each one of us has the right to live taking into consideration human dignity and individual rights and that each one has the right to a fair trial and legal defense. We count on your support to prove to the Lower House that they are acting differently from what Jordanians want. Please be there.”

The IAF announced that they also planned to hold a counter-march to challenge the changes in the law but they claimed that the government banned them from moving forward with their plan. Instead, they held a press conference to announce that the IAF's Sharia Scientific Committee have prepared a fatwa about the matter. The fatwa, dated 12 February 2000, called for keeping Article 340 in the Jordanian Penal Code. They said Article 340 was the “last fort that would protect the morals of our society and canceling it was against the Islamic Sharia.”³¹⁷ The fatwa stated:

“Muslims in this country were surprised by a cunning and misleading campaign which aimed at scrapping Article 340, to destroy our Islamic, social, and family values, by stripping men of their humanity when they surprise their wives or female relatives committing adultery, a right that was valued by the Islamic Sharia. This article does not encourage killings as much as it encourages preserving one's virtue and the honor of the family. What do they expect from a man who is surprised and saw a man committing adultery with his wife or one of his female relatives? This man should not be angry and instead should control his temper and head to the nearest police station and complain, during which time the crime would have disappeared and no longer can be proven. These actions are against what God stipulated and canceling this article is an encouragement for

³¹⁷ Islamic Action Front Fatwa 2000

spreading fornication and a call to kill religious beliefs and Islamic fervor. Since foreign legislators also valued the fit of fury status for men and male relatives and offered them leniency in such crimes, and they are the ones living in a lewd atmosphere that allows relationships between men and women, then why should we not give the same excuse in our Islamic, Arab and Jordanian society?”

The fatwa also criticized Jordan Television for airing a 60-minute show on 11 February 2000 discussing Article 340 and accused the national station of misleading the public. The Jordanian Ifta Department at the Ministry of Awqaf and Islamic Affairs, the only body endowed with the authority to issue a fatwa in Jordan, did not contest the IAF’s fatwa. The Department’s silence created confusion among the public as to the position of the department despite statements by some moderate Islamic scholars which appeared to show that they were following the IAF’s fatwa.

Islamic scholar Hamdi Murad explained that Islam was very strict about the conditions for proving adultery and cited a Hadith, or saying, by Prophet Mohammad (PBUH). The Hadith was about a man who went to ask the Prophet (PBUH) about the punishment he would receive if he found his wife committing adultery with another man and kills them both. The Prophet (PBUH) was reported to have informed him that he needed to provide four well trusted and respected witnesses who will all give the same testimony. If they give conflicting testimonies, then the man and the four witnesses will be punished. This hadith is often cited by moderate Islamist scholars to showcase Islam’s hesitance to sanction action or punishment based on claims of adultery unless irrefutable and difficult to gain evidence is collected.

The government’s official response to the IAF’s fatwa came three months late and did not directly refer to the IAF’s fatwa. In May 2000, the Legislative Bureau at the Prime Ministry ruled that the issuance of fatwas in Jordan was the sole jurisdiction of the Ifta Department, the highest religious authority in the Kingdom.³¹⁸

³¹⁸ Hussein, Issuing Fatwa sole decree of Grand Mufti, Ifta Council 2000

Despite the IAF's fatwa, the call to march by Prince Ali went as scheduled.

On 14 February 2000, he and Prince Ghazi led around 5,000 protestors in a march to Parliament. The protestors included tribal leaders, women rights activists, high school girls, activists, lawyers, as well as civic servants from government institutions and the members of the media. Protestors waved black flags, to commemorate the murdered women, and banners calling for an end to the killing of women in the name of so-called honor. The banners also included slogans that called for abolishing Article 340.

Speaker of the Upper House and former Prime Minister Zeid Rifai welcomed representatives of the protest in his office. At the meeting, Prince Ali said: "We are here to express the will of the Jordanian people to cancel this article that does not reflect our customs, traditions or Islamic Sharia." Rifai welcomed the group and praised efforts to change the article. He also described the two Princes' participation as a new phase for the human rights movement in Jordan.³¹⁹ But the position of Speaker of the Lower House Majali, who also attended the meeting, was markedly different. Prince Ali had appealed to Majali and said he felt personally "ashamed when we became aware that such a law existed, a law that was opposed by (the late) King Hussein and King Abdullah." "Look outside and you will see the number of people who oppose this law. We, therefore, urge you to reconsider. We ask you to take your responsibility and make the decision that [will] push our country forward." Prince Ghazi concurred with Ali and went further to highlight the Islamic religious teachings on this issue. "There is no basis for Article 340 in our religion or culture and we have great hope that the deputies would reconsider their decision," Prince Ghazi said.³²⁰ Majali responded by saying: "We have our own customs and traditions and we (deputies) insist that if an individual surprises his female relative and kills her,

³¹⁹ Personal Notes during meeting between the two Princes and MPs 2000

³²⁰ Ibid

he should benefit from a reduction [in penalty].”³²¹ Although Parliamentarians are against any individual who takes the life of a female relative in cold blood or on the basis of rumors, suspicion or other hidden motives, Majali said, “This is a controversial issue, and we have our own customs and traditions.”

The protestors then headed to the Prime Ministry to meet with Premier Rawabdeh but were informed that he had just left, in an obvious snub to the demonstrators and the royal patrons of the activity. The representative group met with Deputy Prime Minister Marwan Hmoud instead to relay the demands of the protesters.

The following day Prince Ali resorted to the internet chatrooms to explain the circumstances of the event and his take on what happened on that day. Under the title “What really happened” Prince Ali wrote:

“Contrary to some opinions, the demonstrations were organized and carried out without any governmental or institutional help. In fact, the prime minister [Rawabdeh] stood against it. He contacted Jordan TV and the papers and asked them not to publicize the demonstration. When we moved to the Prime Ministry Building, the prime minister was supposed to meet us. However, he sneaked out before we arrived.

As for the Muslim brotherhood, who stood with Article 340, they contacted us and said they wanted to do a counter demonstration, and we said it was alright for them to come. However, they had no idea of our numbers and showed up with only a hundred demonstrators, some of whom infiltrated our ranks and approached the media people in order to spread misinformation.

In reality, forces both within the government and parliament had never intended the bill to pass in the first place ... the reason behind this position is not related to the article itself alone but fear that the article will lead to reforms...reforms that would hold them ac-

³²¹ Ibid

countable, loosen their grip on power, by allowing people to move creatively and freely in progressing our country.

It is an old game where parliament and government oppose each other outwardly to give the image of democracy at the expense of the people and our progress, and meanwhile innocent people are murdered, and our country remains economically stagnant.

What really irked those forces of negativity is the fact that members of the Hashemite family joined the people and they marched together... since those forces have been trying to use state institutions to create a barrier between the King and his people, so that they may gain more power, by trying to manipulate the King's decisions the way that suits them.

However, in times past, what kept this Kingdom together was the fact that the King and the people rallied together to prevent forces of negativism from taking over the country."³²²

Meanwhile, the Senate reviewed the draft for the second time and upheld its previous decision, forcing a joint session of both houses to vote on Article 340. But a joint session was never held, and the Parliament was dissolved in June 2001.

On 23 February 2000, around 55 Members of Parliament (MPs) signed a petition calling for Islamic Sharia to govern life in Jordan. The petition demanded "ridding the nation of the burden of a bloated bureaucracy, favoritism and the dereliction the country is presently suffering of."

The following day, 30 of the original signatories withdrew their names from the petition claiming "they did not read it carefully" before signing it.³²³

³²² Internet posting by HRH Prince Ali 2000

³²³ Hamdan, About 30 deputies withdraw signatures from petition calling for applying Sharia 2000

In June and July of 2000, activists headed out to the streets of Amman and other governorates to collect more signatures and to gauge public opinion and the mindset of ordinary citizens concerning this issue. Public opinion, although not scientifically mapped, appeared reassuring to activists. Many of the people interviewed said that they became more aware of the problem and the petition from the local media and that they object to these crimes and Article 340. Many immediately signed the petition without much effort.

And the discussion continued in Jordan. Many local organizations, professional associations and political parties organized debates and workshops to discuss the issue and the exerted efforts in Jordan.

In November 2001, as a result of the campaign activities and pressure by the women’s groups, the Royal Commission on Human Rights presented suggestions to the government related to Article 340. The Commission recommended canceling one of the clauses in Article 340 that was related to exonerating factors.

It also added a second clause offering married women a reduction in penalty if they surprise their husbands with another woman and kills or injures one or both. However, the article stated that this reduction applies only if the couple were caught in the marriage bed. Offering equal treatment for women in this law was not one of the priorities or demands by the women’s movement.

The amended Article 340, and two other bills related to women were passed by Royal decree as temporary laws in December 2001.

In 2003, a new Parliament was formed. The three draft bills were sent to the Lower House along with another 200 temporary bills.

The Lower House included six women who won via a quota system, including one who was an IAF member and a second who was affiliated to the IAF.

During the Lower House’s first session on 3 August, the deputies reviewed some 60 temporary laws, including Article 340. The

MPs discussed all the temporary bills or referred them to various committees for consideration except for the Khuloe Law (a process allowing women to divorce their husbands), early marriage and Article 340. These laws were rejected outright in that same session with 50 out of the 89 deputies who were attending the session raising their hands against it.

Their excuse was that Khuloe was not in line with the Islamic Sharia and abolishing Article 340 was one of the “most dangerous suggestions to society.”

Islamist Deputy Dr. Hayat Museimi and IAF affiliate Dr. Adab Saud voted against the bills. The two other women who attended the session voted in favor of referring the bill to the Legal Committee. The remaining two did not attend that day.

Dr. Mumen Hadidi, who as senior pathologist and director of the National Institute of Forensic Medicine helped bring justice to many of the victims, expressed his shock at what he described as “hasty” handling of laws that he believed are derived from the Islamic Sharia and are compliant with its dictates.³²⁴ His point of view was that the deputies should have consulted with specialists in the field and learned more about real life stories before making such a hasty decision.

Women’s rights activists were outraged when the Lower House of Parliament rejected the three draft laws and decided to stage a sit-in in front of the Parliament a week later. As the activists stood near the front gates of the Parliament carrying banners and trying to hand pamphlets to the MPs as they were driving in, some of the MPs closed their windows and drove away quickly while some others listened to the demands through their windows but did not comment.

³²⁴ Husseini, Women's rights activists, local pundits express shock and dismay over Lower House rulings 2003

Well-known liberal deputies, such as the late Dr. Abdul Rahim Malhas and Ghaleb Zuby, promised the activists that they would work hard to change the minds of opponents to the laws.³²⁵ The three rejected draft bills were sent to the Upper House of Parliament for debate.

The senators upheld the government’s amendments and sent back the draft bills to the Lower House for a second debate.³²⁶

During the second Lower House session on 27 June 2004, Mu-seimi and Saud were among the 44 legislators out of 83 mostly tribal, Islamist and conservative MPs, to vote against the three draft bills. Three other female deputies, Falak Jamaani, Insaf Khawaldeh and Zakiyyeh Shamayleh voted in favor of the three laws. Deputy Nari-man Rousan did not show up for the session. The draft bill was defeated by a margin of five votes.³²⁷

President of the Jordan Society for Human Rights Suleiman Sweiss voiced his frustration with the deputies’ decision. In an interview following the voting session he said he believed the deputies’ decision to reject the proposed draft law “stems from a social and political position as well as an excuse to fight women’s gains and rights.”

Zu’bi, President of the JWU, also criticized what she described as “double-standards” in voting on draft bills that impact women’s lives. She said that deputies appear to take a “tough stance and hold heated discussions in Parliament only when the matter is related to women’s issues. (...)” “We do not see these deputies take similar stands when it comes to laws that have a negative impact on citizens’ lives such as raising taxes and prices,” Zu’bi said. “These laws are passed easily and without much discussion or resistance by the MPs,” Zu’bi maintained.

³²⁵ Hussein 2009, 78-79

³²⁶ Ibid, 78

³²⁷ Hussein, Deputies criticized for not championing women’s rights 2004

Sabbagh, who was the JNCW secretary general that time, pointed out that the government enacted more than 200 temporary laws in 2003 that were mostly related to the economy, yet the MPs were mute about them. "The legislative body passed all the economic laws, and nobody raised a finger. (...) But when it came to the three laws that provided for improvement in women's lives, they rejected them. (...) Women are used as a bargaining chip. (The government) agrees with deputies to pass all the other laws and then allows them to do whatever they want with the women's laws. It is as simple as that," Sabbagh explained.

Feminist writer Zuleikha Aburisha, famous for her courageous articles critical of Islamists, wrote a sarcastic column to reflect on the ongoing debate in the Kingdom. Under the headline "Slaughter Them Until it Becomes a Phenomenon: Male Relatives Should Monitor all Females in their Family", she wrote:

"In the event that women disobeyed their male relatives - regardless of their age - and even if their disobedience or misbehavior was over a silly issue such as not preparing coffee for them, or making noises while men are sleeping, or talking on the phone with a female friend around their father or brother, then these females should be physically disciplined. If this does not work out, then they should be locked at home and if that also fails then their male relatives should give them the coup de grace (kill them). Another way to increase the number of victims of so-called honor is to dispute with women over inheritance. If she rejects the offer of a silly compensation to waive her inheritance rights, then killing her is permissible, even if she was your grandmother, mother, aunt, sister, daughter or granddaughter. It would be extremely easy to convince the judiciary that the grandmother is behaving immorally and receiving men at her home, which you can arrange under the pretense that they are cleaning her house."³²⁸

³²⁸ Aburisha, Slaughter them until it is proven to be a phenomenon 1999

While Articles 340 and 98 continued to exist as legal text, it was clear that the general mindset around the need for such legal provisions was changing and that the judiciary did not see the articles as relevant to protecting victims.

Changing Verdicts and a Progressive Fatwa

In mid-2000, the justice system started treating the murder of women in the name of family honor in the same way it treated a regular homicide. Law enforcement officials adopted a more serious and thorough approach when investigating these murders with more focus on collecting evidence, rather than depending solely on the perpetrator’s subjective confessions. Unlike the 1990s and early 2000s when the criminal court prosecutors handling so-called honor killing would encourage reporters “to forget about such trivial incidents” and to focus instead on “real and high-profile” murders that occur in the society. Fast forward 10 years, and the emphasis has shifted to crimes against women by their male family members.

The Criminal Court’s Attorney General’s Office also adopted a new strategy of monitoring more closely the work of investigators as well as surveying the Criminal Court’s verdicts. The Criminal Court’s Attorney General’s Office Judge Yassin Abdullat was especially diligent in monitoring the progress of these cases tracking and documenting all the verdicts related to family honor.

He would almost always appeal the verdicts at a higher court demanding a tougher punishment for the perpetrators. “I will surely appeal these verdicts because most of the sentences are light,” Abdullat said in an interview for *The Jordan Times* on 8 June 2005. “I want to make sure that the extenuating factors that the defendants benefited from are justified. Otherwise, no one should escape their crime with a lenient sentence.”

In July 2009, a special Criminal Court tribunal was appointed and chaired by the president of the court. The new tribunal was tasked with taking to trial all the defendants who murder their female relatives for reasons related to family honor as those cases are

no longer classified as “family matter murders.” Judges started issuing stiffer sentences ranging from seven-and-a-half-years to life in prison. Within a few years all Criminal Court’s tribunal judges began hearing these cases and issuing similar sentences.

The debate on so-called honor crimes never stopped in Jordan.

In 2011, a group of young men and women formed a coalition called “No Honor in Crime.” They worked for about three years to lobby for amendments to laws pertaining to so-called honor killing and raising awareness about the issue. The group used social media, which was becoming more popular in Jordan, to count the number of murdered women in Jordan on an annual basis.

The debate on so-called honor killing intensified again in 2017 when a Royal Committee for Developing the Judiciary and Enhancing the Rule of Law was formed to revise the Penal Code.

In February, the Committee introduced amendments to many articles of the Penal Code including Article 98. It added a second clause that stipulated:

“Perpetrator shall not benefit from the mitigating excuse if the act is committed against a female, outside the provisions of Article 340.”

However, before the draft Penal Code was referred to the Lower House few months later, the Court of Cassation issued a historic verdict on 21 March which increased the length of a sentence handed down by the Criminal Court to two brothers who poisoned their sister for reasons related to family honor. The higher court increased the sentences from seven to 10 years in prison for one brother and from 15 to 20 years in prison for the second one.³²⁹ The court transcripts stated that the victim fell in love with a man, left her family’s home and sought refuge at a community leader’s house. The defendants visited the tribal chief and pledged not to harm the victim. The

³²⁹ Husseini, Cassation Court sets precedent, toughens sentence in 'honour killing' 2017

victim believed them and returned home where she was forced to consume a poisonous substance. The court notes described how the two brothers watched their sister suffer from the poison and die slowly in front of them. When they were questioned by the authorities, they claimed she committed suicide. However, investigators found inconsistencies in their story and they admitted that family honor was their real motive, the court verdict stated.³³⁰ The higher court, chaired by President of the Higher Judicial Council Judge Hisham Tal, stated in its landmark verdict that the defendants violated religious teachings that prohibited taking the life of any human being. Former Court of Cassation and human rights activist Judge Mohammad Tarawneh said the verdict was issued on Mother's Day to send a strong signal that the justice system will no longer tolerate such murders. The veteran judge also pointed out that the verdict would set a precedent and will become the rule for other verdicts that would be issued in the future.

On 1 December 2016 the Iftaa Department issued a fatwa that prohibited so-called honor killing and deemed those who committed such murders as criminals who should be punished.³³¹

Changing Attitudes

An important change was the shift in people's attitudes. Where 20 years ago both men and women were resistant to any attempt from activists to build their knowledge or change their mindset towards these crimes, it was clear that there was a marked shift in attitudes as more people were engaging in open conversations about the issue.

The change appeared to be especially significant in the attitudes of men. Civil society activists were reporting a change in narrative from the men who used to take pride in calling for murder and punishment in these cases. Men, especially older males, began asking

³³⁰ Ibid

³³¹ 'Repeal of controversial Penal Code provision on rape continues to top demands of women's groups' 2016

what avenues were available to help them protect their female relatives if they were ever put in that situation. Today, they are more likely to ask to join any volunteer work to help in advocating for the cause.

While the attitude has improved among older men, the acceptance of so-called honor killings among younger Jordanians still indicates a serious problem based on a poll that was published by the Economist in February 2021. The poll pointed out that 32 percent between the ages 18 and 34 consider so-called honor killing acceptable.

Nevertheless, there are some young men who appear to be more actively looking for ways to volunteer with groups advocating on this issue or dedicate their school research projects to studying so-called honor crimes.

A First State Provided Shelter

A positive break happened in July 2018 when the first government-run shelter was established to receive women who are in grave danger of being murdered, in response to persistent demands by the women's groups and activists to secure an establishment that would offer alternative protection for women. Former Social Development Minister Hala Bsaiso-Lattouf believed in this important project and invested time and effort to ensure it would become a reality. The new center was named Amneh Safe House or 'Guest and Rehabilitation House for Women' which offered a new and safe shelter to hundreds of women held under administrative detention at women's correctional and rehabilitation centers for indefinite periods without a charge in what is termed "protective custody."³³² Some of these women have spent half of their lives in prison and were unable to

³³² Women, mostly ones whose lives are in danger for reasons related to family honor, in Jordan are placed in prison for indefinite periods based on the Crime Prevention Law No. 7 for the year 1954. Although the law is applied to men and women, many women were imprisoned without a charge, a clear detention period or expected release date.

leave without the governor’s permission or a male guardian’s signature guaranteeing he would not harm the woman if she was released. The new safe house’s regulations stipulated that any woman who is found by the authorities to be living under any kind of threat by her family will be offered a place there. Bsaiso-Lattouf personally followed up on the project and supervised it. Much planning went into the early stages of conceiving of the shelter and therefore the shelter’s strategy addressed many of the challenges that are typical of these cases and paid attention to details to ensure that the project was successful.³³³ The former minister pointed out during an interview on 8 February 2020 that Amneh safe house was an important and difficult project to deal with because of security concerns.³³⁴ And although there were some premonitions of its possible failure, Bsaiso-Latouf stood her ground. “They would tell me that when women are transferred from the prison to the house they will most probably be killed,” Bsaiso-Lattouf recalled.³³⁵ “We met with several relevant officials on a regular basis to ensure that we did not miss any detail that would work against the project.” The former minister added that the preparations also included training of the staff in cooperation with local civil society organizations with expertise in this field. One of these organizations was Mizan Law Group, which provided legal and logistical support to women under protective custody or fleeing threats from family.

Mizan’s Executive Director Lawyer Eva Abu Halaweh formed a coalition in the mid-2000 named the “Jordanian Coalition for the Support of Women in Protective Custody and Women at Risk” which brought together civil society and government to strategize to liberate women from custody and to find alternative solutions to provide them with safety. “The start of our project occurred following an event to celebrate International Women’s Day at the women’s prison where some of the women under protective custody were kept (...) I

³³³ Lattouf 2020

³³⁴ Ibid

³³⁵ Ibid

decided to invite all stakeholders to get involved and help these women. In our initial meetings, officials were not sure there were solutions for these women who suffer from social stigmatization while in protective custody. They felt that it was hard to protect them from their families", Eva Abu Halaweh explained.³³⁶ The coalition conducted a comprehensive study regarding Arab countries' strategies in protecting women at risk and more detailed information on local cases with the help and support of the Public Security Department (PSD).

Abu Halaweh's organization initiated a project named 'A New Start' with the objective of supporting women to leave administrative detention and assimilate back into society. "It took more than nine months to release the first woman given the sensitivity of the situation," she explained. By the end of 2009, the project contributed to releasing 109 women. The women were put through to a comprehensive rehabilitation program so that they can safely reintegrate in the society. Following repeated meetings and deliberations with officials, officials gained faith in the project and started to work towards finding a more practical and comprehensive solution to this problem.³³⁷

Former Director of Amneh Safe House Dr. Raghda Azzeh explained the admittance process for women who are released from protective custody. The women are immediately provided with support services to help them settle in. The main aim is to protect these women and help them decide their own future. The facility is protected by both male and female police officers. "Our aim is to ensure a temporary residency for these women so that they would feel safe, feel as if they are at home not a prison, and, in time, become independent."

³³⁶ Abu Halaweh 2020

³³⁷ Ibid

The Debate around the Murder of Ahlam

However, the apparent positive trajectory in the incidence of so-called honor crimes received a blow in the early summer of 2020. Jordan witnessed a horrific murder on 16 July 2020, bringing the issue of so-called honor killing to the surface again. A father publicly crushed his 40-year-old daughter’s skull with a brick, while her brothers restricted neighbors and passers-by from helping her. Her name was Ahlam and she was reportedly engaged in an illegitimate affair. A neighbor had taken a photo of the body and a video of what is assumed to be the victim screaming for help and later in pain and fear while appealing for public intervention. The video was widely circulated. The brutality of the murder captured on video sent shock waves to thousands of Jordanians. A citizen claiming to be Ahlam’s neighbor posted on Facebook the alleged details of the horrific murder. He claimed that the father sat drinking tea and smoking cigarettes next to his daughter’s body after the murder. The post and the video clip provoked many, especially the youth who mobilized social media around the brutal murder, to question the lack of protection from the government, the sufficiency of legal framework and the efficiency of the PSD’s relevant protection mechanisms for women fearing for their lives. Jordanians demanded the harshest sentencing for the father and an immediate review of the protection package offered to women. The General Prosecution Office at the Criminal Court immediately issued a gag order banning the press and the public from writing or commenting on the incident.

Police and government officials announced that they were revising some protection institutions’ mandates and performances and reviewing legislation related to domestic violence. Government and PSD officials pledged to take urgent measures to safeguard the safety and security of Jordanian women and children.

Nevertheless, the gag order and swift government procedures did not prevent a group of six young women and four men from organizing a protest utilizing the outreach of social media. They created a page on Facebook calling on people to assemble in front of the Parliament to protest Ahlam’s murder. The young group met to prepare

banners and strategize at a local cafe. On the day of the protest, around 1,000 people from all ages and walks of life responded to their call.

Joud Omeish, 26, one of the protest's organizers said in an interview on 6 September 2020 that "the minute we heard about Ahlam's murder we used social media to express our anger and frustration." She formed a group with her friends and asked people to stage a protest in front of the Parliament. "We wanted to make a difference and lobby the deputies to change laws that discriminate against women."³³⁸ But their spontaneous activity was hijacked by conservatives who used photos of controversial banners from protests in neighboring countries to shed doubt on the motive of the organizers of the Jordan protest. The press, conservative in its makeup, carried the photos and allowed scathing criticism of the young activists.³³⁹ Some of the group members, mainly women, started receiving threatening and hateful emails and threats on social media. The group was also accused of being supported by Western organizations to destroy the morals of the society. But Omeish is not deterred by these accusations: "We will continue to raise awareness and lobby parliamentarians to amend the laws that discriminate against women."³⁴⁰

A Fallen Taboo

To date, the murder of women by their male family members for reasons related to family honor continues, but the numbers appear to show a downward trend with less of these murders happening. In the 1990s, the average number of reported murders for reasons related to family honor was 25 murders a year. In more recent years the average has dropped to around 10 to 15 reported cases a year. The intense debate and the collective efforts and involvement of many stakeholders contributed to this positive change. Many regional and international reporters, researchers and students have fol-

³³⁸ Omeish 2020

³³⁹ Ibid

³⁴⁰ Ibid

lowed up and reported on the issue over the years producing research, films or reports about the topic that all contributed to the increased awareness and buy in.

However, many initially approached the trend labeling Jordan as the leader in the incidence of these crimes globally and the country where “men kill women for reasons related to family honor most.” But the reality was that Jordan was one of the leading countries in the region that addressed this issue and removed the taboo of discussing it, drawing in individuals, groups, government officials, activists, community leaders and Royal family members to be involved in finding a resolution. This national effort produced tangible results and succeeded in shedding light on these horrific murders, ultimately contributing to the improvement of all aspects of the solution. In the process, there was a lot of media exposure and the issue was tackled in local, regional and international conferences. This made it look like so-called honor murders are uniquely part of the Jordanian culture and heritage. But despite all the success and the changes in the laws and treatment of these murders by the justice system, it is important to note that perpetrators of such crimes can still get away with it legally.

The Problem with Waived Legal Rights

Women groups have consistently lobbied the government to restrict the ability of families to waive the victim’s legal rights when a crime is committed within the same family. This loophole has allowed fathers - who oftentimes plan the murder alongside their sons and other male family members - to exonerate the perpetrators/sons who actually commit the crime by waiving the dead victim’s personal claim on her behalf.

The provision for waiving the personal claim is not mentioned explicitly in the Penal Code’s articles nor is the term “honor crimes” mentioned explicitly.³⁴¹ However, the option to waive personal claims exists in the legal procedures and is often used in cases of

³⁴¹ Abu Hassan 2020

“honor crimes”. Many families of victims were convinced or pressured into waiving the victims’ personal claims and have thereby allowed perpetrators more lenient sentences for committing these hideous crimes. In an informal tally of so-called honor crimes in Jordan,³⁴² it was evident that families were waiving the victim’s personal claim in almost all of the so-called honor cases. The same applied to other assaults within the same family such as attempted murder, incest, molestation and other offenses. This resulted in sentences being reduced to half the incarceration time or sometimes even less at the discretion of the Criminal Court’s tribunal. That is why some so-called honor killing perpetrators are still able to escape stiff prison sentences or are released from jail immediately. In cases where the murder was found to be unpremeditated, perpetrators could be released from jail on special annual national holidays where the government announces a general amnesty. The existence of the special provision as a loophole that can be used by judges to reduce sentences handed down to criminals who murder their family members, means that women have no legal protection under the law.

³⁴² Conducted by the Author who covered verdicts of the Cassation and Criminal Courts as a Journalist for 25 years.

THE DISCRIMINATORY LAWS' FIGHT

Most laws that concerned women did not easily receive the support of the legislative bodies, the government or even society at large. The women's movement had to fight an uphill battle to convince all stakeholders and win their support all the time meeting resistance from conservatives, whether in government or within society, and Islamists as a political movement. Decision makers did not see women's rights as a priority and other stakeholders fought to maintain the patriarchal status quo. Lawmakers favored security and economic issues over women's demands and agenda. And even when there was progress on some laws which were amended or introduced, those laws invariably came out incomplete containing loopholes and ambiguities.

Some laws that promised real reform were introduced by the government with the express intention of formalizing their rejection or to open the forum for those reform steps to be attacked for example as was the case with Article 340.

Sometimes reform was promised but then simply overlooked or discarded such as the case with the government pledge to insert the word "sex" into article 6 of the Constitution which would have guaranteed female citizens equality with their male counterparts. The proposed amendment was dropped from the draft only 24 hours before being presented to the Monarch for approval.

Another demand that the government ignored was restricting the court's ability to reduce the penalty in the event that the victim's family waived their personal claim against the defendant.

In this section, major legislation introducing women’s rights that attracted controversy will be presented with a review of the advocacy and activism work that led to a crucial change.

The Personal Status Law

Family matters in Jordan were dealt with under the Ottoman laws until the country gained its independence in 1946. A year later, the Jordanian Parliament voted to enact the Jordanian Family Law, which was derived from the Hanafi School.³⁴³ However, the law was revised in 1951 following the 1948 war and the Nakba. In 1976, the law was replaced with the Personal Status Law (PSL). Amendments to the PSL in Jordan can be traced to the 1950s based on the women’s movement’s documentation. When women groups opened the guidance centers and hotlines in the 1990s, cases of discrimination against women as a result of the dictates of the PSL were immediately noted. Women groups started pressing the government and religious entities to revise the PSL to redress the bias. As a result, the PSL was amended twice during the 2000s.

In 2001, when King Abdullah dissolved the Parliament, and as part of his desire to introduce new reforms in the country, he instructed former Prime Minister Ahmad Obeidat to adopt measures to reform the judiciary including the Sharia Courts. Obeidat asked the Chief Islamic Justice Department to work on amending the PSL and to consider including Khuloe as an option for women seeking divorce as well as other reforms that will be discussed in the following sections. The Department responded by modifying several amendments to the PSL, which were introduced in 2001 in the form of a temporary law. One of the amendments was related to polygamy, although it is not a common practice in Jordan. Based on the PSL, Jordanian men can marry up to four wives. Before 2001, it was not mandatory for men to inform the other wife or wives of their intention to get married. Several women had no idea their husbands took another wife, and most of the time they would only find out after his death. This issue

³⁴³ Murad, Family Law in the MENA Region 2019, 13

in particular created much legal, economic, psychological and social challenges for women who were left to handle the repercussions of his decision. As a result, women's groups pressed the government to impose a condition on men seeking to take more than one wife to simply inform the other wives of their plan to marry before it happens. In 2001, the PSL was amended requiring the court to notify the wives of the existence of other wives through newspaper ads. Women activists were not sufficiently content with many of the reforms introduced into the PSL and continued to lobby the government and the religious authority in Jordan for more changes. In 2007, the Chief Islamic Justice Department revisited the PSL. This time, the Department initiated a quiet and careful dialogue with civil society, judges and relevant officials. The Department addressed several clauses that were drawn from the four Sunni Fiqh (Islamic jurisprudence) and multiple Sunni Islam schools (Hanafi, Maliki, Hanbali, and Shafii) to ensure that any change introduced would align with Islamic dictates and also benefit the general population.³⁴⁴ A committee of Sharia scholars from universities, religious leaders, lawyers, and judges, known for their support of women's rights, was also formed to take part in the PSL's reform process. At the end of its deliberations, the committee noted its observations and made recommendations and sent those to the head of the Department. The draft law was modified and sent back to the committee for final approval. The draft law was made available to the public via the Department's website for final comments and observations. The Department then held a press conference to announce the final findings. One of the main statements made during the press conference was that the reforms were introduced in accordance with the Islamic Sharia.³⁴⁵

Women activists pointed out that one of the most important amendments to the PSL was the establishment of an Alimony Fund which effectively meant that the government would guarantee the delivery of alimony payments to divorced women even if the husband is financially unable or has reneged on his responsibility. The

³⁴⁴ El Muhtaseb, J. Brown and Kayyali 2016, 732

³⁴⁵ Ibid, 735

establishment of the Fund was an important step because it enabled divorced women to support themselves and their children in cases where the ex-husband is unable to provide alimony or has fled. This also meant they no longer had to go through the bureaucratic hassle of traveling from court to court in order to receive the financial support payments.

Another important achievement was related to women’s financial and inheritance rights after the death of family members. The new amendments were about what is known as ‘takharouj’ (delegating someone to finalize inheritance procedures). The law was amended to protect women from exploitation by their male family members or coercion to give up their rights to their inheritance. The law stipulated for a three-month waiting period before allowing ‘takharouj’ to be conducted after the death allowing the period of grief to ensure sound judgement.

Women groups have stated that on many occasions, women were tricked into waiving their inheritance rights or accept small cash payments to favor their male relatives. Male relatives would take advantage of the mourning period at a time when they were still stricken with grief and lacking focus on logistics. Grieving women would sign papers brought to them by their relatives a few days after the death of a relative without reading the content, women groups have reported over the years. The women’s movement had wanted to increase the period to six months, but their demands were ignored at the time. In November 2020, the “takharouj” period, or the time allocated for finalizing the distribution of the inheritance, was extended to four months.

The reforms to the PSL did not initially respond to demands to allow the use of DNA tests to prove paternity for pregnancies resulting from sexual assault. It also continued to include articles that were openly discriminatory against women. Article 19 of the PSL, for example, obliged women to have their male guardian’s consent in order to marry unless they were previously married.

Another article (No. 61) stipulated the need to ensure the husband’s approval for his wife to work if she files for alimony, which

contradicted the Constitution that clearly stipulated that work is the right of every citizen. If a woman refused to abide by her husband's request, then she was likely to lose her right to financial maintenance, according to the PSL.

In April 2019, the PSL was sent again to the Parliament for debate. This time, both Houses were united in upholding amendments to the PSL. The two chambers voted against inheritance rights to the children of a daughter who died before or at the same time of her father/relative in the 'mandated will 'or w'asiya wajiba', which would have meant giving female children the same inheritance rights as male children.³⁴⁶

Tahboub, spokesperson for the IAF in Parliament, said she stood by her coalition and party's stand on this topic because she believed it was against the Islamic Sharia.³⁴⁷ "We need to abide by the Sharia in this coming age even if it does not serve us because ultimately it is for our own good and for the ultimate benefit," Tahboub argued.

However, Women's rights activist and columnist Nermeen Murad wrote an opinion column in *The Jordan Times* on 6 April 2019 that had an opposing opinion. Murad criticized the Parliament's decision saying that she was embarrassed by the performance of the parliamentarians.³⁴⁸ "On the mandated will, in particular, Jordan stands to be the only Arab and Muslim country, I repeat, the only Arab and Muslim country, to deny the grandchildren born to deceased daughters their mother's share of her parents' inheritance while providing for the inheritance to children of sons. Whether Islamist, conservative, tribal or whatever, Parliamentarians who lined up behind this weak and unrealistic justification to hide their patriarchal disdain for their female relatives in the first instance and their overall disrespect for female citizens in general. Their arguments are based on narrow

³⁴⁶ Parliament ends dispute by rejecting raising marriage age to 16 2019

³⁴⁷ Tahboub 2020

³⁴⁸ Murad, Jordan's laws, political institutions must guarantee female citizens' rights 2019

interpretations of Islamic jurisprudence, which are at best vague and not specific on the issue of mandated will to both children, let alone creating a bias in favor of the males.”³⁴⁹ According to Murad the real intention behind the denial was to continue to “limit the control of family assets and money within the male line, effectively consolidating the women’s subordinate and dependent position and denying her and her family equitable economic and financial independence.”³⁵⁰

Salma Nims also commented on the disappointing vote by saying that successes or failures in the adoption of certain legal amendments by the Parliament is sometimes the result of political circumstances.³⁵¹ The discussions of the PSL came at a time when the Parliament lost its popularity because of the Gas Deal³⁵² (between Jordan and Israel). “Rejecting some controversial amendments to articles in the PSL contributed to the regaining of their popularity.”³⁵³

Another issue of concern for some women groups was the “Welaya” or male guardianship. The Welaya system allows male guardians authority to require their female dependents who are under the age of 30 to remain under their supervision if they were unmarried, previously married, divorced or widowed. According to the PSL, if a woman rebels against her male guardian’s will, she loses her entitlement to financial maintenance. Women groups included the issue of Welaya in an NGO shadow report that was presented to the CE-DAW Committee in Geneva, Switzerland in 2012. They charged that the existence of such a law reinforces discrimination against women.

Some independent activists went a step further and started a campaign to advocate against this law. Razan Khatib, a technology

³⁴⁹ Ibid

³⁵⁰ Ibid

³⁵¹ Nims 2020

³⁵² The Gas deal was signed in September 2016 between Nobel Energy on behalf of the Israeli side and The National Electric Power Company Ltd. on behalf of Jordan to import gas from the Leviathan field off the shores of Haifa. The deal caused an outcry in Jordan’s streets and was rejected by the BDS movement (Boycott, Divestment and Sanctions against Israel).

³⁵³ Nims 2020

business owner and feminist who often blogs about women and human rights issues, wrote a blog in May 2018 expressing her frustration over the existence of this law in the Jordanian legal textbook.³⁵⁴ She highlighted the legal system's double standards that treat women as full adults in all criminal aspects in the law, as well as their ability to vote, work, open and be responsible for a business, but sees them as minors in affairs related to their personal lives and relationships. In women's choices of where they live or travel, their preferences fall under the guardianship of their fathers or in the case of his death, her male guardians. When married, the guardianship transfers to the husbands.³⁵⁵ Khatib wrote in her blog: "I honestly feel there will be no significant progress to the women's rights and equality efforts unless we start a real effort in fully equating the right of a woman to be free in her mobility, living arrangements, travel, marrying whomever she wants to marry without the need of a guardian's approval!"

Article 308

Mobilization activities that either demanded total abolishment or amendments to Article 308 began in the early 2000s. This demand was plugged into almost every recommendation and demand list that was handed to the government by the women's movement.

Article 308 stipulated:

1. If a correct marriage contract is concluded between the perpetrator of one of the crimes stipulated in this section and the victim, any pursuit shall be stopped; if a judgment was issued in the case, execution of penalty shall be suspended.

2. The Public Prosecution shall regain its right to reinstitute the legal action and implement the penalty if, before the passage of three years of committing the misdemeanor; or five years of committing the felony, such marriage ended by divorcing the woman without a legitimate cause.

³⁵⁴ Khatib, *The half-adult status of women in Jordan* 2018

³⁵⁵ *Ibid*

In other words, this law allowed sexual assault perpetrators to live with their victims under one roof. Supporters of maintaining parts of Article 308 in the Jordanian legal books, insist that the existence of such article would protect the honor and reputation of the victim. Ultimately, her life would be spared by her family who otherwise might have killed her in order to defend their honor. The origins of Article 308 are derived from the Napoleonic Code 308 and incorporated into our legal textbooks. The Napoleonic Code had its roots in a patriarchal society that aimed at controlling women’s bodies. This code is not part of our culture or religion, and it is insulting to women in Jordan.

Senator Mai Abul Samen, who is also an avid women’s rights activist, said on several occasions that Article 308 constitutes two crimes against women — the rape incident that goes unpunished and then marrying the victim to her rapist. “This law should definitely be scrapped from our Penal Code. It is the responsibility of the government to ensure that this step is taken adequately and seriously” Abul Samen stressed on several occasions. In the mid-2010s, this article came back to the spotlight because of the many other controversial topics that were discussed in that decade such as so-called honor killing, rape and incest.

One of the major events to address this article took place in December 2010. The JNCW prepared a list of demands with other women groups and submitted it to the Parliament and the government. The list included amendments that were aimed at improving the lives of women across the Kingdom.³⁵⁶ Among the demands was revising Article 308. In February 2013, leading women’s movement activists handed their demands to female MPs who were known to be strong advocates of women’s rights. Madaba deputy Falak Jamaani pledged to help the women’s movement with their demands. “We have 18 women in the Lower House of Parliament and a minimum of ten deputies can file a request to amend a law in Parliament. I do not see any reason why we cannot act on it,” Jamaani said.

³⁵⁶ Hussein, Women’s movement prepares list of amendments for Parliament 2010

Former MP Wafa Bani Mustafa also pledged to fight to abolish the article which she believed allowed for the continuation of rape within the family. For Bani Mustafa the situation was unacceptable since women end up taking the blame for a crime that was committed against them. If they do not marry their rapists, they are killed to cleanse the family's honor. On the other hand, there were no cases known to her where the state imprisoned a man who divorced a woman he raped before the five-year period.³⁵⁷

In a public event in October 2013, Sharia Professor Mahmoud Sartawi said allowing sex offenders to marry their victims is a "crime." "This contradicts the main purpose of marriage, which is to form stable families. Instead of providing the victims with the needed support, this kind of marriage makes the victims fall prey to offenders for the rest of their lives," Sartawi explained.³⁵⁸

Two months later, MPs Bani Mustafa and Jamaani prepared a memo, signed by 23 deputies, demanding that Article 308 be removed altogether from the Penal Code.³⁵⁹ The justification cited in the memo was that "by allowing rapists to escape punishment we are basically rewarding the perpetrators for what they did." Legislating for rapists to marry their victims "allowed a marriage that is humiliating to women," the memo said. "Article 308 contradicts religious teachings and international conventions which stand against forcing women into marriage against their will," the memo stated.³⁶⁰

Calls for abolishing the controversial article continued and in August 2014 the JNCW learned that the Ministry of Justice started to re-examine the Penal Code, so it immediately sent a letter to then Justice Minister Bassam Talhouni requesting changes to some articles that were identified to be discriminatory to women, including Article 308.

³⁵⁷ Bani Mustafa 2020

³⁵⁸ Azzeh, 95% of rapists go unpunished under disputed Penal Code provision 2013

³⁵⁹ Hussein, 23 MPs call for scrapping article allowing rapists to marry victims 2013

³⁶⁰ Ibid

During the same year, the Iftaa Department issued a fatwa that condemned rape and incest and said such assaults constitute “grave violations” in Islam. “Any woman subjected to such attacks should visit the Department for an examination of her case, after which a fatwa would be issued that would be beneficial to the victim.”³⁶¹

Towards the end of December 2014, Princess Basma criticized the article during an event in Amman. She urged the media to raise the level of debate in Jordan and build a unified stand against it. The Princess referred to several Arab countries that abolished a similar article including Egypt and Morocco. “If these two countries were able to do it, I don’t see any reason why we cannot do it here as well.”³⁶²

In April 2015, the legal committee at the Justice Ministry, which comprised veteran judges, lawyers, criminal prosecutors, police, academics, activists and civil society representatives recommended the abolishing of Article 308. The committee, however, retained a clause that pardoned the perpetrator if the attack involved women between the ages of 15 to 18 and was consensual or adulterous. However, the JNCW and women rights activists immediately objected to the adjustment and demanded the total abolishment of Article 308. Their argument was that allowing exceptions was not in the best interest of females aged 15 to 18.

Few months later, Sisterhood is Global Institute (SIGI) shared the findings of a national study that surveyed 850 individuals from various governorates in Jordan on Article 308 and its effect on the victim.³⁶³ The study revealed that 45 percent of those surveyed believed that if a victim refused to marry her offender as stipulated in Article 308 that decision could result in her death to “protect her family’s honor.”³⁶⁴ The study also found that 71 percent of those sur-

³⁶¹ Hussein, Women's rights activists publish position paper on rape-related issues 2017

³⁶² Hussein, 'Projected Penal Code amendment scraps article pardoning rapists who marry victims' 2015

³⁶³ Hussein, 57% of sexual assault survivors hesitate to report it - study 2015

³⁶⁴ Ibid

veyed were opposed to the idea of allowing perpetrators to escape punishment if they marry their victims. In addition, 73 percent believed that the reason why victims are forced to marry their offenders stems from the society's perceptions of shame and honor.³⁶⁵ Many of the survivors who married their offenders were divorced before the three to five years' legal period ended, the study revealed. In many cases, the authorities also failed to legally follow up on individuals who divorce their victims before the end of the legally mandated period.

A month later, a coalition of 52 civil community organizations was launched by SIGI to demand the cancelation of Article 308. The momentum continued into the following year and the civil society and women MPs continued to press for the abolishment of the article. In April 2016, the government referred the amended Penal Code to the Lower House of Parliament's legal committee for its review and comments. However, the article was withdrawn by the government before being sent to Parliament to allow for a review by the newly formed Royal Committee for Developing the Judiciary and Enhancing the Rule of Law. The Committee was established in February 2017 and chaired by former Prime Minister Zeid Rifai and 10 judges and former ministers of justice. One of the legislations that was reviewed by the committee was Article 308 which the committee proposed abolishing. The government endorsed the proposed change and then sent it to the Lower and Upper Houses of Parliament for the legislative process. The law was referred to the House's Legal Committee, who favored maintaining an exception for perpetrators of sexual assaults in the event the victim was under 18 as well as for anyone who "seduces a virgin over 18 years of age with the promise of marriage and caused her to lose her virginity."

President of the House's Legal Committee Mustafa Khasawneh said in a newspaper interview on 31 May 2017 that the MPs were focused on amending the article to provide optimum protection to women and children and held extensive consultations with dozens of experts, officials and civil society organizations. Khasawneh ex-

³⁶⁵ Ibid

plained that the MPs' position was based on scientific evidence and data. "We are only trying to protect females who are engaged in consensual sexual activities from being harmed or killed." The Legal Committee also wanted to ensure that, in cases of pregnancy, "the child born will be raised in a proper environment."³⁶⁶

When women's groups became aware of the Legal Committee's decision, they immediately reached out to deputies ahead of the voting day to lobby for their support for the outright abolishment of the article.³⁶⁷ The article was abolished after a heated debate. The voting brought cheers and joy to women rights activists who had staged a sit in outside Parliament earlier in the day and then watched the vote from the balconies to showcase their commitment. XXXX

This historic turnaround did not come easy on that day. A heated debate had preceded the vote where Parliamentarians argued for maintaining some sections of the article especially for girls under the age of 18. A second camp spoke in favor of the abolishment because they felt it was "humiliating and against the interest of girls and women." Some Parliamentarians demanded to send the bill back to the legal committee for more examination. More Parliamentarians expressed their wish to speak, but the Speaker of the Lower House Atef Tarawneh decided to stop the debate and called for a hand count. Tarawneh then announced that the Lower House of Parliament voted to abolish Article 308. As women rights activists cheered as the result was announced, many deputies continued to shout and wave their hands asking to be heard. Tarawneh immediately ended the session.

Islamist Deputies Museimi and Tahboub were not as happy as the women's movement when they left the session. Both said they wanted to voice their opinion before the vote in favor of abolishing Article 308. Interestingly their motivation for voting to abolish the

³⁶⁶ Hussein, Debate continues as Article 308 on way to Lower House's vote, 2017

³⁶⁷ Legislators replaced the old paragraphs in Article 308 with the following: Mitigating circumstances should not be used in cases of sexual assaults if the victim (male or female) was under the age of 18 at the time the crime was committed and the perpetrator was over the age of 18.

article differed from that of the women's rights movement and stemmed from a religious point of view. They stated that the continued existence of Article 308 or the amendments allowing for exceptions to remain in the law "will work to encourage adultery and fornication in society." Both Islamist Parliamentarians wanted to have the opportunity to make that point clear to their constituents by speaking of it during the Parliamentary session ahead of the vote but were denied the opportunity by Tarawneh's hasty closure of the session. Tahboub said in an interview later that another reason for voting in favor of the abolishment was to protect women.³⁶⁸ "We wanted to protect women's marital rights such as alimony and custody of their children in the event that they got married under this law then divorced," Tahboub explained.

Also on the side of the women's rights movement, there was disagreement over the need to abolish the article which became more heated just before the vote took place.

Former Minister of Social Development and lawyer Reem Abu Hassan voiced her disappointment in the outcome saying she was always in favor of amending and not abolishing Article 308. In her opinion, Article 308 and the proposed amendments to the article would have allowed for the option of marriage in cases of consent among minors. Abu Hassan's concern was that it will have negative effects on the victim and any children that are born as result.³⁶⁹

Another opponent of the entire abolishment of Article 308 was Balqa Deputy Mustafa Yaghi who argued that there should have been more "consideration for the Jordanian culture" and that the amendments aimed at pleasing the West.³⁷⁰ "I am certain that the government and the Royal Committee made the amendment to appease the West and for funding purposes," Yaghi charged.

Abolishing Article 308 was destined to happen.

³⁶⁸ Tahboub 2020

³⁶⁹ Abu Hassan 2020

³⁷⁰ Hussein, Debate continues as Article 308 on way to Lower House's vote 2017

In an interview published by *The Jordan Times* following the voting session, an anonymous member of the Royal Committee said that its members were aware of the loopholes resulting from abolishing the article.³⁷¹ “... to us, the Criminal Code is about punishment and criminal offenses, not to give solutions for offenders,” the former cabinet minister explained. He believed that the implications of abolishing this article, in terms of the rights of the offenders or in cases of consensual pre-marital sexual relationships, should be tackled by the civil society as well as other legal instruments that are related for example to health, juveniles and so forth, the member suggested.³⁷² “We are looking at hundreds of possibilities that might occur in incidents of consensual sex, such as between two minors, a minor and an adult or vice versa, pregnancy or not, old age and young age,” the senior official explained. “It would be impossible for one law to tackle all of these instances and it would surely not be the responsibility of the Penal Code to resolve them, the member stressed.

Aware of the challenges that became apparent in the debate on abolishing Article 308, women rights groups met at JWU’s headquarters to discuss next steps and announced the formation of a legal committee to rapidly tackle the loopholes that might occur because of abolishing the article.³⁷³

Although there was opposition to the abolishing of the article, the resistance was not as hard as in the 1990s and 2000s when this article and the *Khuloe Law* were first proposed. Admittedly, the fact that Islamists this time were in favor of the abolishment for religious reasons facilitated the process.

There was also a positive shift on the side of the women’s rights groups who collaborated on advocacy efforts, planned well ahead of time and engaged various segments of the society as well as key and respected stakeholders. They also succeeded in reducing the narrative around women’s rights and liberal freedoms and refocused

³⁷¹ Hussein, Activists to form legal committee to address potential loopholes resulting from abolition of Article 308 2017

³⁷² Ibid

³⁷³ Ibid

that narrative on the best interest of the child. At the end of the day, there was agreement that it did not make sense to force a woman to live with the person who sexually assaulted her just to avoid being publicly shamed or to stave off societal criticism of her family.

The debate revolving around Article 308 encouraged activists to consider putting other controversial topics on the table including allowing abortions in cases of sexual assaults. One of the main reasons that some legislators were keen on creating exceptions during the discussions ahead of the abolishment of Article 308 was the possibility of unwanted pregnancies as a result of the sexual assaults. That is why the women's movement called for amending Article 12 of the General Health Law to allow abortion at least in cases where the woman's life is in danger.³⁷⁴

A daring and direct call for abortion was made in February 2017 when SIGI distributed a statement to the local press calling on the government to introduce laws that would allow abortion in cases of rape and incest. SIGI referred to Ministry of Justice figures indicating that 49 women have been imprisoned for abortion between 2009 and 2016 in Jordan. In commenting on the SIGI statement, Khader, who is the president of the institute, explained that there were several Muslim countries and religious scholars and organizations in the region that allow abortion in the first two months of pregnancy if it was the result of rape or incest. Abortion during the first two months does not violate religion because the fetus is not considered to have a soul during that time. Such a procedure will also work to protect the victim's physical and mental health.³⁷⁵

JWU Lawyer Hala Ahed was also in favor of addressing abortion in cases of rape and incest in the first two months of pregnancy. She considered it inhumane to ask a woman to give birth to a child who is the result of sexual assault by family members. Ahed placed responsibility at the level of government and stressed the need to

³⁷⁴ Ibid

³⁷⁵ Hussein, Gov't urged to draft laws allowing abortion in cases of rape, incest 2017

issue regulations and provide better legal and logistical frameworks and mechanisms to protect women in such cases.³⁷⁶

In November 2017, a group of 60 women activists and civil society representatives released a position paper that offered more solutions for victims of rape and other forms of violence which included a recommendation to allow abortion in cases of rape and incest. But until this date, the government has made no attempt to address this controversial matter.

Child Marriage

Child marriage in Jordan remains a major problem for girls and an issue that the women’s rights movement devoted much of its attention to because of its wider socio-economic and psychological ramifications. Over the past 20 years, advocacy on this issue focused on raising the legal age of marriage from 15 for girls and 16 for boys to 18.

Early marriage, as a phenomenon, is not limited to Jordan and has given rise to concern and debate in many countries in the world. According to figures listed in the Girls not Brides website in February 2020, one in five girls in the world is reportedly married before the age of 18. Twelve million girls marry before the age of 18 every year and over 650 million women alive today were married as children. In 2018, UNICEF warned that girls who marry before the age of 18 are less likely to remain in school, are more likely to experience domestic violence and could end up dying early due to complications in pregnancy and childbirth. The UN organization pointed out that child marriage is being used as a “strategy for economic survival as families marry off their daughters at an early age to reduce their economic burden during times of stability and in crisis.” Marrying girls and boys early is a grave human rights violation and basically robs them of their right to enjoy their childhood life. Jordanian laws treat girls and boys under the age of 18 as minors and they cannot, for example, obtain a driving license, open an independent bank account or sign a

³⁷⁶ Husseini, Women's rights activists publish position paper on rape-related issues 2017

rental agreement. But early marriage for girls is treated differently. Girls are expected to discard their childhood and, instead, assume adult responsibilities as homemakers, oftentimes also raising children.

In her PhD Thesis, Dr. Mary Kawar argued that families marry their daughters at a young age, mainly to their immediate relatives, because they believe this action will help preserve the family's honor and reputation. Families, therefore, act out of the conviction that arranging their daughters' marriage to their immediate family members will ensure that they are well treated and in return the girls' families would not ask for a high dowry from their relatives. Essentially early marriage "not only ensures female chastity but also preserves patterns of male dominance and female seclusion since women are placed at a young age in positions dependent upon their husbands and very often mothers-in-law."³⁷⁷

A national study on the Girl Child in Jordan pointed out that there are reported cases of girls who were forced by their families to abandon high school education or denied permission to work in order to marry at an early age.³⁷⁸ The study attributed the phenomenon to "economic necessity," the influence of customs and traditions and religion or in some cases to find a permanent home for a young girl who has been orphaned.³⁷⁹ Many of these marriages end up in divorce because of the girl's inability to cope with the responsibilities that come with marriage in Jordan.

When the legal age was increased to 18 in the 2001 temporary law, the Chief Islamic Justice Department decided to add some exceptions to the marriage bill. The exceptions gave leeway to the Sharia judges to perform marriages for girls aged between 15 and 18 if they estimated that "it was in her best interest." Conditions placed on these marriages included the suiter's financial suitability, compe-

³⁷⁷ Kawar, *Gender, Employment and the Life Course: The Case of Working Daughters in Amman, Jordan* 1997, 165

³⁷⁸ Information and Research Center - King Hussein Foundation n.d., 23-24

³⁷⁹ *Ibid*

tence and ability to pay a dowry, and that the marriage would serve to “prevent evil or immoral acts.”

The law required that the females’ consent to the marriage is sought and confirmed by the judge and that the marriage has the guardians’ approval. One of the more curious stipulations allowed “insane or mentally challenged” to marry if their union does not “pose danger to the other party.”

Women’s rights groups immediately criticized the added exceptions, but their protests were ignored, and the exceptional cases clauses remained.

Advocacy on this issue continued with civil society organizations drawing attention to the gravity of underage marriages. The JWU launched a campaign calling on legislators to raise the age of marriage to 18. They also drafted a “plan B” providing additional recommendations to raise the minimum age from 15 to 16 in the event that legislators continued to refuse to set the legal age of marriage at 18 for both men and women.

When the Chief Islamic Justice Department revised the PSL again in 2007, it maintained the provision for exceptions on early marriages. However, it added another layer of restriction to the exceptions with a requirement for the approval of the head of the Chief Islamic Justice Department and not only the approval of the local judge. Civil society organizations working on women’s issues however did not see that the restrictions were successful in reducing the number of early marriages in the country and argued that the practice continued to happen too often. The Chief Islamic Justice Department’s official statistics in 2017 corroborated their arguments as they showed that, of the 77,700 marriage contracts that happened that year, 10,434 (around 30 a day) involved marriages in which the wife was under the age of 18. The statistics also showed that divorce cases added to 5,335 in 2017, from which 413 cases involved wives who were under the age of 18. Around 460 families in Jordan were led by parents who are under the age of 18.³⁸⁰

³⁸⁰ Khader 2020

Leading women's activist Ina'am Asha described early marriage as "a form of domestic sexual assault," and contradictory to Jordanian law which punishes individuals who engage in sexual activities with minors.³⁸¹ "We consider early marriage as a form of detention and rape inside the house for these girls since the Jordanian law punishes individuals who engage in sexual activities with minors," Asha charged.

Khader, who as president of SIGI, provides legal aid to women and girls, said "sometimes, families marry their daughters off at a young age in return for financial gains," underscoring that "this should be considered a form of human trafficking that is punishable by the law."³⁸²

In April 2019, the PSL was sent again to the Parliament with a proposal for raising the minimum age of marriage to 18 and removing the exceptions that, women's rights groups argued, allow the practice of underage marriage to continue. However, both the Upper and Lower Houses of Parliament were united in rejecting the proposal to amend the PSL to meet those demands and even rejected a proposal to amend the age to a minimum of 16 years. The two Houses agreed to keep the minimum age in exceptional cases for girls at "turning 16 years old" instead of "completing 16 years old" essentially therefore accepting that marriage can legally occur one day after completing 15 years of age.³⁸³ In July 2020, the NCFA announced that it was bringing back the National Committee to Combat Early Marriage as part of the NCFA-sponsored National Plan to Reduce Child Marriage to review national policies, regulations and legislation with a goal of removing loopholes and addressing concerns around the circumstances that lead to those marriages.³⁸⁴ The plan also focused on building family awareness and promoting participation among stakeholders to reduce the phenomenon of under the age of 18 mar-

³⁸¹ Hussein, Marriage robs girls of childhood 2018

³⁸² Ibid

³⁸³ Parliament ends dispute by rejecting raising marriage age to 16 2019

³⁸⁴ Hussein, Women's groups laud national committee to combat early marriage 2020

riages. Until early marriage legal exceptions are removed from laws, young girls are likely to remain victims of economic exploitation and so-called honor motivated practices that undermine the girls’ choices and opportunities in life.

The Khuloe (Iftida) Law

Women seeking a divorce in Jordan before 2001 found it almost impossible to be granted one and would have had to go through a complicated and daunting process that could last for years at Sharia Court before their request was turned down. The rarity of cases where divorce was granted to a female applicant was primarily a result of a social and cultural conviction of male Sharia judges who expected women to remain subordinates to their husbands and accept the status quo in their marriages. Several judges expressed reservations regarding facilitating divorce proceedings for women and argued that granting women divorce rights will contribute to the destruction of their families. Women were requested to submit “valid” reasons to support their requests and provide witnesses that could attest to their case if they wanted their divorce application to be considered. In cases of domestic violence, for example, the testimony of the wife alone was not sufficient to grant a divorce and therefore many applications citing domestic abuse were not granted a favorable judgement.³⁸⁵

On the other hand, men can divorce their wives by just uttering the words: “you are divorced” and will be granted full documentation for a divorce once they file a case at the Sharia courts.

When women’s rights groups started offering legal and social aid through their centers and private offices, many stalled divorce applications put forward by women were brought to them. Women’s rights CSOs started to pressure the government to review the PSL with a view to finding a way to grant women the right to divorce.

³⁸⁵ The Jordanian National Coalition 2012, 13

Eventually the government cited the example of Egypt where a decision was taken in 2000 to introduce a “Khuloe” legal provision, which senior officials felt could also be timely if introduced in Jordan.³⁸⁶ The Khuloe Law was introduced as a temporary law in December 2001. The bill stipulated that women seeking a divorce should appear before a Sharia judge to request a dissolution of marriage by stating that “she does not want to continue her marital life and was afraid of disobeying God's rulings.” The judge would then ask her to take time to reconsider her decision but eventually, within a few weeks, grant her a divorce. The essence of the Khuloe law was that since the woman was the one requesting the divorce, she would voluntarily absolve the man of any marital financial responsibility and forsake her right to alimony. Muslim marriage contracts prescribe an upfront dowry set by the two parties but also a final financial settlement if divorce occurs. Many men would refuse to divorce their wives, even in cases of long-term separation or absence and men remarrying, in order to avoid paying that final settlement.

The first Khuloe case that was won by a woman at the Amman Sharia Court was on 1 May 2002. The press reported in 2002 that around 500 women filed for Khuloe cases since the law was introduced in December 2001. Sharia judges have privately revealed that many more cases were dropped by female applicants when the law changed, as their husbands would seek an out of court settlement to avoid the embarrassment of being publicly divorced by their wives. Other men rushed to the court to divorce their wives before their wives succeeded in filing a Khuloe case. Judges said men did not want the stigma of being divorced by their wives and therefore rushed to get ahead of them and lead the divorce process themselves.³⁸⁷

Although there is clear Islamic grounding referencing a Khuloe ruling in the days of Prophet Mohammad (PBUH) that was referenced by many Islamic scholars to support this change in the legal framework to support women's applications, Islamists MPs and conservatives insisted that Khuloe was against Islamic Sharia. By doing

³⁸⁶ El Muhtaseb, J. Brown and Kayyali 2016, 726

³⁸⁷ Hussein, Court allows woman to divorce husband 2002

so they seem to ignore or contest a Hadith (conveyed by AL-Bukhari) about a woman named Jamilah who approached the Prophet (PBUH) seeking a divorce from her husband Thabit ibn Qays. Jamilah told Prophet Mohammad (PBUH) that she feared she would live in an “un-Islamic manner” if she stayed with him. The Prophet (PBUH) granted her the divorce if she returned a garden her husband had given her.³⁸⁸

The story of Jamilah was not acknowledged or mentioned when the draft bill was up for debate at the Lower House of Parliament on 13 August 2003. Islamists insisted that women still needed the approval of their husbands to be granted a divorce, which defies the purpose of the Khuloe Law.

Islamist Deputy Museimi and IAF affiliate Adab Saud rejected the draft bill and argued that a woman seeking to separate from her husband using Khuloe Law still needed her husband’s approval otherwise the divorce would be in contravention of the Islamic Sharia and would “destroy the structure of the family.” MP Kharabsheh, an outspoken critic of calls for women’s rights, lobbied the deputies to reject the Khuloe law, and said in an interview with *The Jordan Times* after the Parliamentary vote to throw out the proposed law: “If it was up to me, women would be at home raising their children.”³⁸⁹

The rejection of the draft bill on Khuloe, as well as the denial of the proposed abolishment of Article 340 and raising the minimum legal age of marriage to 18, infuriated the women’s rights movement. As a result, they called for a protest in front of the Lower House of Parliament almost a week after the rejection to make their voices heard. Dr. Mohammad Abu Fares, a senior IAF Parliamentarian, and MP Kharabsheh, told the protestors that they would “always” work to see the Khuloe Law rejected because it contradicted the Islamic Sharia and that in their opinion “women will be willing to destroy the family if the decision to divorce was in their hands.”

³⁸⁸ Divorce n.d.

³⁸⁹ Al Wakeel, MPs rejects Khuloe amendment, which allows women to divorce without consent 2003

When asked about the ruling by Egypt's Grand Mufti from Al-Azhar to approve Khuloe and recognize it as compatible with Sharia in March 2000, Abu Fares responded "Al-Azhar's Mufti is an agent for the Egyptian government." During the second Lower House session to discuss the proposal on 27 June 2004, again IAF Deputies Museimi and Saud voted along with 44 legislators out of 83, mostly tribal, Islamists and conservative MPs, against the Khuloe draft bill.

Three other female deputies, Falak Jamaani, Insaf Khawaldeh and Zakiyyeh Shamayleh voted in favor of the law, while Deputy Nariman Rousan did not show up for the session. The draft bill was defeated by a margin of five votes.³⁹⁰

Female Islamist MPs voted against the three bills because they felt they owed a debt to the Muslim Brotherhood Movement and the IAF which supported them to win the Parliamentary elections.

The draft temporary Khuloe Law went back and forth between the two Houses and eventually was set aside in 2003 by Parliament without a final vote. The Khuloe draft bill remained in force until 2010 when the PSL was amended again by the Chief Islamic Justice Department. This time, the legislators kept the main concept behind the Khuloe Law but amended the term "Khuloe" to "Iftida." Khuloe means removal or extraction, which was considered by many as offensive to male's "manhood and masculinity" while the term that was chosen to replace it and was seen as more socially accepted by the legislators was "Iftida" which alluded to financial compensation in return for a sacrifice.³⁹¹

³⁹⁰ Hussein, Deputies criticized for not championing women's rights 2004

³⁹¹ When the PSL was being reviewed by the Chief Islamic Justice Department this second time, the Khuloe clause was, according to Asma Khader, no longer there. The Department's excuse was that some deputies considered the word "Khuloe" provocative and wished to get rid of the law, so they decided to take it out." It was Khader, who smartly proposed to use the word Iftida, which has the same functions as Khuloe but does not offend anyone. The Department informed leading women's figures that they would study the matter and were later informed that the term Iftida was accepted.

Citizenship Rights Battle

The Jordanian Nationality Law was derived from the British Nationality Law during the 19th century,³⁹² which was originally based on the notions of paternity and patrilineality.

The first Nationality Law in Jordan was written in 1929 and published as The Nationality Law of Transjordan. As was the case in the British Law at the time, Jordanian women could not pass on the Jordanian nationality to their children. As a result, they lost the citizenship if they married non-Jordanian men.

Jordanian men, on the other hand, could pass their Jordanian nationality to their children and non-Jordanian wives. In the mid-1950s, the Jordanian Nationality Law for the year 1954 was issued. It stipulated that all children of Jordanian fathers are Jordanian nationals, regardless of where the children are born. Jordanian men can also transfer the citizenship to foreign spouses in three years if the wife was from an Arab nationality and five years for other foreign nationalities.

By contrast, Jordanian women married to non-Jordanian men cannot pass their citizenship to their children or husbands. They are only allowed to retain their own Jordanian citizenship.

Originally, the law had stipulated that a Jordanian woman who married a foreign man would lose her Jordanian citizenship. Women’s rights groups lobbied the government to allow women to retain their Jordanian citizenship regardless of the nationality of their husbands and they won this right in 1987.³⁹³ But their efforts to pass on the citizenship to their families were not as successful.

³⁹² In the 1980s, British nationality laws were amended to enable British women to pass their nationality to their children.

³⁹³ Essaid, Sajdi and Abu Taleb, *Gender Discrimination in Jordan* 2019, 2

In 2002, a glimpse of hope for these families was temporarily restored when the government announced it was to grant their children the Jordanian citizenship. During a high-level summit in 2002 in Amman chaired by Queen Rania and attended by Arab first ladies, an announcement was made that the Council of Ministers has introduced amendments on laws concerning passports, nationality and retirement of the children of Jordanian women married to non-Jordanians. Minister of State for Political Affairs and Minister of Information Mohammad Adwan confirmed on the same day the government's intention to grant passports to children of Jordanian women married to non-Jordanians. But he was quick to add that this process would not be automatic and entailed studying each case individually and obtaining the approval of the Council of Ministers.³⁹⁴ Yet, no specific date was mentioned as to when this process will go into effect. The Council of Ministers retracted its decision a few months later when the government announced it had no intention of granting the Jordanian citizenship to children of Jordanian women yet because of complications around marriages to Palestinian men tied to a final settlement of the Palestinian-Israeli conflict. The government's political and demographic position was that it was supporting the integrity of the Palestinian identity and did not want to encourage a flight of Palestinian men to Jordan. The government also put forward demographic concerns that would feed into the right-wing Israeli plans of finding a substitute homeland for Palestinians in Jordan, a notion that rallies protest from "indigenous Jordanians" who fear that they may become a minority in their own country. To support their argument, officials released what they described as "staggering numbers" that show that around 88,980 Jordanian women are married to non-Jordanians, mostly Gazans.³⁹⁵ The data was compiled by the Civil Status and Passports Department in the mid-2000s. In the government's calculation, around 355,930 children

³⁹⁴ Hussein, Amendments symbolize major shift towards gender equality - Adwan 2002

³⁹⁵ Palestinians, except for Gazans, who became refugees after the creation of Israel on Palestinian land, and those who were living in the West Bank when it was occupied by Israel in 1967, have been given Jordanian citizenship.

would become Jordanian if the law was changed causing a marked shift in the demographic makeup of the country to the side of Jordanians of Palestinian origin. To the government, this shift would help Israeli politicians to build an argument that will in turn feed into their “ultimate plan of creating a substitute homeland for Palestinians in Jordan”³⁹⁶ and would effectively also make “East Bank Jordanians” a minority in their own country.

Nermeen Murad, a political analyst and gender expert, agrees that the government’s motive for rejecting the proposal to grant full citizenship rights to Jordanian women married to non-Jordanians stemmed from political and demographic issues. In commenting on a national study on citizenship rights for women that looked more closely at the socio-economic status of these families, Murad wrote in her weekly column that it was important to look beyond the politics of the issue and explore the families’ potential contribution to Jordan in the long term.³⁹⁷ “Despite the hardships, the bullying and the social stigma, the majority of these children want to be associated with Jordan and have already declared they are Jordanians. They believe that their identity is closely tied to where they live, where they have their memories and where they have their homes, friends and family.”³⁹⁸

Amawi was also vocal about the bias in the Nationality Law saying it is depriving Jordanian women from enjoying a direct relationship with the state.³⁹⁹ “While the state grants Jordanian women rights, some of these rights are ‘only actualized through males in the family, who have control over women’s actions and conduct’.” Therefore, she argued, the citizenship of a Jordanian woman is “diminished”.⁴⁰⁰ The daily ordeals for these families revolve around shuttling back and forth between government entities to obtain necessary documents that would ease their daily lives. They are also obliged to

³⁹⁶ Husseini, Activists plan sit-in over rights of Jordanian women married to foreigners 2017

³⁹⁷ King Hussein Foundation 2011

³⁹⁸ Ibid

³⁹⁹ Essaid, Sajdi and Abu Taleb 2019, 12

⁴⁰⁰ Ibid

seek an annual residency permit for their families at considerable cost and hassle and to pay for health and other services as well as pay high fees for private schools and universities. Work permits and driving licenses are highly regulated and often denied to these groups in order not to encourage them to stay in the country. There were no legal rights to residency, work or public services and the granting of any of those was subjective and could be denied without explanation. For example, in 2007, when the late Nimah Habashneh, a widow with six Moroccan children, opened a Facebook page to advocate for citizenship for her children and families in the same predicament she faced considerable resistance. The Facebook page immediately faced problems such as being constantly hacked or closed for about two years. In 2009 the page took the slogan "My Mother is Jordanian, and her nationality is a right for me" and stated among its aims to pressure the government to reconsider its stand toward Jordanian women who are married to non-Jordanians and allow them to pass on the citizenship to their husbands and children. During her initial campaign activities Habashneh complained that Jordanian women and their "foreign" families were hesitant to publicize their demands fearing that they would be harassed or prosecuted by the security agencies. Towards the end of 2008, however, women's rights activists renewed their calls on the government to amend the Nationality Law. This time the call was made at a prestigious event that was organized by the United Nations and the National Center for Human Rights to mark the 60th anniversary of the Universal Declaration of Human Rights.⁴⁰¹ The Arab Women Organization prepared a paper in 2010 researching the "Economic, Social, Political and Psychological implications on Jordanian Women and their families married to non-Jordanians." The study concluded that depriving "children and husbands the right to acquire Jordanian nationality results in putting them under a stressful economic, social, psychological situation, facing difficulties in employment, residency, access to education, health care and social protection."⁴⁰² In July 2011, the National Registry of Societies at the Ministry of Social Development refused to give per-

⁴⁰¹ Husseini, Call for amending Citizenship Law renewed 2008

⁴⁰² The Jordanian National Coalition 2012, 20

mission for the establishment of a CSO for Jordanian women married to foreigners who demand citizenship rights for their children. The ministry claimed that "the request is not convincing since the group did not give a strong justification about why they want to set up a society as stipulated in the rules."⁴⁰³ The secretary general of the National Registry explained the rejection by claiming that "the citizenship issue is a political matter that is governed by the Nationality Law and cannot be addressed by a society."⁴⁰⁴ As a result, Habashneh decided to take her protest from the virtual to the real world and called on affected families to head to the street and become more visible and vocal in putting forward their demands. Habashneh, along with other activists, organized a series of protests and public sit-ins which she attended carrying banners and talking to reporters about the status and struggles faced by these families. They held protests in front of the Parliament, the Prime Ministry, the Jamal Abdul Nasser Circle also known as Dakhlieh Circle (a vital and busy intersection in the capital), the Royal Court and the Ministry of the Interior. Among the key concerns raised by protestors were the delays by the government in issuing official identification documents to the children of Jordanian mothers married to non-Jordanians. They also demanded to be given the right to donate blood to relatives who are undergoing medical procedures and be allowed to study at public universities. Others complained of the endless bureaucracy and restrictions on their travel abroad and re-entry into the country.

In February 2013, a coalition named "My nationality is my family's right" was formed by a group of 11 local organizations and 18 individual members, including Habashneh's group, with the aim of raising awareness through four specialized committees: legal, advocacy, media and research.⁴⁰⁵ During the launching event, women's rights activist and journalist Aroub Soubh, who was acting as a spokesperson for the coalition, made an emotional plea on behalf of the families. "My country does not acknowledge that I am a full citizen and I feel very strongly about it. I see it as a major discrimination

⁴⁰³ Ibid

⁴⁰⁴ Ibid

⁴⁰⁵ Bani Mustafa 2020

against me," said Soubh, who is married to an Iraqi citizen.⁴⁰⁶ During the launching event, the organizers released the findings of a cost-benefit study that was conducted by the Information and Research Center at the King Hussein Foundation (IRCKHF) showing that the government will benefit economically from a move to grant residency to the children and spouse of Jordanian women married to non-Jordanians. The calculation of the cost-benefit analysis looked at the financial income from a proposed increase in tax revenues when these families entered the labor market legally, and the fees from granting residency and then nationality to the hundreds of thousands of people who fall under this category. It also looked at the potential increase in development of human capital, which the study showed would contribute to the country's economic growth.⁴⁰⁷ The IRCKHF also launched a policy paper making recommendations to address the status of these families, based on a 2011 in-depth study that tracked the situation of families and studied the specific challenges they face.⁴⁰⁸ Some of the findings included the following:

- 94.5 % of husbands said they faced challenges in the labor market
- 72 % of these families reported that they had no access to healthcare
- 50 % of the children are not accepted in public schools because of legislative ambiguity with regards to their status
- 16.2 % of the families were seriously considering leaving Jordan because they are deprived of their economic rights

⁴⁰⁶ Ibid

⁴⁰⁷ Ibid

⁴⁰⁸ Information and Research Center - King Hussein Foundation, Policy Brief: Jordanian Women Married to Non-Jordanian Have the Right to Pass on Their Nationality to Their Families 2013, 4

Meanwhile, a group of liberal MPs supported the demands of the families and launched a parliamentary initiative to advocate for their rights, among other priorities. In late 2013, MPs Hamarneh and Bani Mustafa along with 20 other deputies took the name "Mubadara" or initiative in English for their group and began to engage with the government in efforts to find solutions to the government's position on these families as well as monitoring the status of human rights in the country and the education sector.⁴⁰⁹ The Mubadara group consulted with the government and civil society to propose solutions to eliminate obstacles hindering transactions for the children of Jordanian women at public agencies. The group held a series of meetings with then Prime Minister Abdullah Ensour and other relevant officials to convey the lived reality and struggles faced by the families as well as propose credible solutions that would provide this segment of the population with more rights leading to granting them the Jordanian nationality.⁴¹⁰ Ensour, an MP at the time, had made a public pledge to support the granting of residency and civil rights, but not yet political, to these families during a conference organized by the IRCKHF only a month before Ensour was appointed as prime minister. The Mubadara MPs demanded full citizenship rights for the offspring of Jordanian women married to non-Jordanians but after a series of meetings with the government, it was clear that this demand was off the table. Bani Mustafa submitted a draft law for improved rights of families of Jordanian women married to non-Jordanian. The group of MPs formed a block to lobby the government to issue official numbers because they felt that the numbers provided by the government were exaggerated.⁴¹¹ The MPs' block was strong and had a comprehensive work plan, which encouraged the government to be cooperative. The deputies fiercely lobbied for identification cards, but the situation remained subjective and at the mercy of who will become the minister of interior."⁴¹²

⁴⁰⁹ '56,000 special IDs issued to children of Jordanian women married to foreigners' 2015

⁴¹⁰ Ibid

⁴¹¹ Bani Mustafa 2020

⁴¹² Ibid

When the MP's block raised the level of advocacy on citizenship rights for the foreign families of Jordanian women, the leaders of the opposition "accused us of being Israeli Mossad agents."⁴¹³ "When some of our colleagues would advise us during meetings to stop our advocacy and lobbying work on this issue, my position was that we cannot stop." Hamarneh recalled: "This was a battle about our women and equality, and we eventually succeeded because we won civil rights for Jordanian women who are married to non-Jordanians and their children but the win did not come easy nor through constructive negotiations and discussions. We threatened the government of Premier Abdullah Ensour that we were going to vote against him when he put forward his budget, which meant his government would have collapsed. We threatened him and that is how we ended up getting civil rights for these families."⁴¹⁴

However, despite the apparent success of the lobbying and advocacy work, the progress was slow on the new "mazaya" or privileges granted to these families. Officials, acting without transparency, often blocked the privileges granted to these families without explanation. Families felt they were under constant threat of having those advantages pulled away if and when the government changes its mind over the new instructions. When the government announced on 9 November 2014, that it was granting children of Jordanian women married to non-Jordanians special status privileges, it said it was in recognition of their unique status but that it was not a pathway to citizenship. The privileges announcement covered residency permits, driving licenses and real-estate ownership, along with other benefits in the educational, health, labor and investment sectors. Civil society and activists on this issue welcomed the government's announcement but nevertheless underlined their commitment to perusing the

⁴¹³ Hamarneh 2021. The core of the allegation is the assumed Israeli interest to grant as many if not all Palestinian refugees full national rights in Jordan. The Israeli right keeps fueling this sentiment by using the Slogan "Jordan is Palestine". However if this was the real argument, the logical call would be to no longer grant Jordanian Nationality to non-Jordanian wives of Jordanian men instead of blocking equal rights.

⁴¹⁴ Ibid

Jordanian nationality as an ultimate goal. Shortly following the announcement of the government’s “privileges,” Habashneh spoke to the press about the government’s decision. “This is a milestone in the journey to secure citizenship for our children in the near future. The most important thing that happened today was that the government acknowledged that there are rights for Jordanian women married to non-Jordanian men. This acknowledgement will be the basis for our campaign to keep pushing for citizenship rights and other civil rights such as free education at government universities and a waiver on residency fees.”⁴¹⁵

The government’s privileges was a small but important step to allow these families to proceed with their lives without discrimination.

Bani Mustafa also found the government’s step “crucial in transforming the status of these children from being considered as foreign nationals to being recognized legally as a son or a daughter of a Jordanian woman.” But she stressed that it is important to see this development as only a step towards granting these children full citizenship in the future.⁴¹⁶

On 8 February 2015, Habashneh passed away from late-stage liver cancer.⁴¹⁷ Her fellow activist Rami Wakeel and others pledged to continue the campaign she started.

In 2018, new amendments made to the Labor Law gave children of Jordanian women the right to work without having to obtain a working permit or pay any fees.

⁴¹⁵ Hussein, Gov’t announces privileges for children of Jordanian women married to foreigners 2014

⁴¹⁶ Bani Mustafa 2020

⁴¹⁷ The last time the author spoke with Habashneh in 2015, she became aware of the cancer prognosis. Habashneh told the author: “I am dying soon Rana, but I am certain that our cause will not die with me. The young men and women who are in our campaign will carry on the fight.”

The issue continues to ebb and flow depending on the individuals who are in policy making positions that can control the implementation of the “mazaya” instructions. The government continues to hesitate to embrace the rights of these families and therefore bureaucratic hurdles are still prevalent. Given that the mazaya were mostly granted as “instructions” rather than legal instruments, subjectivity in their implementation continues.

Virginity Tests

The issue of female virginity in the Jordanian society has been tackled occasionally over the past two decades but always with trepidation and considerable caution as the subject continues to be at the core of society’s value system with regards to women. The discussions, rare as they were, revolved around the concept and value of virginity from a social and legal perspective. Discussions of the role of virginity in forming society’s value system were especially rare in the 1970s and 1980s, according to Aamiry, a university professor at the time. “It was impossible to talk about sexual violence or virginity matters with the students and discussing such topics with students could cost you your job during that era.”⁴¹⁸

However, one of the first Jordanian female scholars to put the issue on the table for discussions was Dr. Lama Abu Odeh who, as part of her thesis in the 1990s, looked at the role of female virginity on so-called honor killing in Jordan. Arab women, according to the ideal model, are expected to abstain from any kind of sexual practice before they get married. The hymen, in this context, becomes the socio-physical sign that guarantees virginity and gives the woman a stamp of respectability and virtue.⁴¹⁹ Therefore the “wedding night bears phenomenal importance for Arab women, since it is at that crucial time that the society at large is about to make a judgment on their property.”⁴²⁰ Some so-called honor crimes are known to occur

⁴¹⁸ Aamiry 2020

⁴¹⁹ Abu Odeh, *Crimes of Honor and the Construction of Gender in Arab Societies, Femsinism and Islam* 1996, 149

⁴²⁰ *Ibid*

precisely then. “When a woman fails to bleed because of penetration to break her hymen, that physical failure is taken as also a failure of the social test,” Abu Odeh explained in her thesis. The bride is then taken back to her family who might kill her for having shamed them. For an Arab man, his sister’s virginity is a social test for him, “If he does not intervene by killing his sister once she has shamed him, he suffers a loss of his gender: he is no longer a man (therefore, a wimp, a woman) and his performance has suffered a serious failure.”⁴²¹

The Jordanian legal system also placed weight on the issue of virginity. In sexual assault cases, perpetrators could get an increased prison sentence if their offense resulted in the victim’s loss of virginity. In awareness or training sessions conducted with men, it would be immediately obvious that men were less comfortable with discussion of the medical reasons that can cause women not to bleed on their wedding night. There have been situations where men would become aggressive over the need for the discussion around virginity and accuse the trainer of trying to influence the discussion with “Western notions.” In 2009, the subjects of virginity tests and virginity restoration operations and fake virginity devices were reported briefly in the local press, but those topics were not encouraged.

Some of the surprising stories that came out in the press were of brides being literally dragged by their husbands to the National Institute of Forensic Medicine (NIFM) for a virginity test on their wedding night. Other stories were related to criminal cases where victims of a sexual assault were required to sign a consent form to a virginity test that would serve as an official proof of her “purity.” The same procedure applied to women who left their families’ homes for an unspecified period and were later caught by the police.

This humiliating and degrading “process” of proving “women’s purity” was lambasted by UN Women and the World Health Organization who called for an end to virginity testing in 2018.⁴²² Virginity tests are medically unnecessary, and often painful, humiliating and a

⁴²¹ Ibid, 149-150

⁴²² World Health Organization 2018

traumatic practice. The concept of “virginity” is a social, cultural and religious construct – one that reflects gender discrimination against women and girls. “Performing this medically unnecessary and harmful test violates several human rights and ethical standards including the fundamental principle in medicine to ‘do no harm’.”⁴²³

One of the experts who was involved in this issue from a medical and social perspective was Dr. Momen Hadidi, who served as the director of the NIFM in the 1990s and 2000s. From his experience families put a huge weight on the concept of virginity and consider the virginity tests as proof that the hymen is intact.” For them, “it is a sealed proof that the woman is of good virtue and behavior.”⁴²⁴ The NIFM experienced some cases whereby families and new husbands rush to the institute on the wedding night for “inspection” because their wives did not bleed. In other incidents, police would bring women, mostly ones who were victims of a sexual assault or had left their homes, to the same center and ask physicians there to “inspect them.” These women are asked to sign a consent form accepting to be tested and, of course, many of these women accept without any objection in order to prove their innocence. In other incidents, the examination becomes either a certificate of life or death for these women. “Sometimes I can see the fear and feeling of helplessness in the eyes of these women,” Hadidi said in an interview on 21 January 2020. The forensic expert said he is obliged by law to conduct the tests that are the result of a criminal investigation. “The test will, unfortunately, become a certificate of innocence or implication. In other words, it could be a life-or-death testimony.”⁴²⁵ There are no laws that obligate women who are over 18 to undergo virginity tests unless there was accusation of adultery or rape. Hymenoplasty or hymen reconstruction surgery is a reality although not common. There are experts who perform these operations “but under the table.”⁴²⁶

⁴²³ Ibid

⁴²⁴ Hadidi 2020

⁴²⁵ Ibid

⁴²⁶ Ibid

In the 2000s, it was clear that there was more acknowledgment of the complexity of the concept of virginity within the Jordanian culture and its negative impact on the mental health of women. On 24 April 2002, a lecture was organized by Al Rashid Hospital on virginity in which psychiatrists and physicians participated and presented the issue from a social, psychological and anatomical angle.

Psychiatrist Mohammad Habashneh and Forensic Expert Ahmad Bani Hani talked about what they called “the fear factor” surrounding the wedding night and the possibility of not bleeding at penetration. “Women are afraid they might not bleed, and men are afraid that their performance on the wedding night will not lead to their wives bleeding,” Bani Hani said during the lecture. Habashneh explained that “people place great concern and attention to a simple body part [the hymen] without realizing the grave effects it poses to women’s mental health.” For Habashneh, women in our part of the world are “guilty of not being virgins until proven otherwise.” Bani Hani spoke of the humiliation women face if they do not bleed and which he personally witnessed in several cases of couples visiting the NIFM to ask for an official medical test to prove the woman is a virgin. In June of 2003, Al Rashid Hospital prepared a daring study on male sexual awareness in Jordan in which around 150 single men between the ages of 18 to 40 were surveyed about their knowledge of sex, their attitudes towards sex as well as their own sexual behavior and set of beliefs.

Single men were asked whether they would marry a girl that they themselves had already had sex with. A large majority (131 respondents) said they would not, a few (7 respondents) said they are willing, and the rest said they were unsure.⁴²⁷ Al Rashid Former Director Psychiatrist Walid Sarhan explained then that most Jordanian men give themselves the liberty of having sex with women but when it comes to marriage, they ask their families to find them a young inexperienced girl that does not know anything in life so that they can

⁴²⁷ Husseini, Male reproductive awareness poll reveals urgent need for sex education - psychiatrist 2003

control her.⁴²⁸ Hadidi came under the spotlight again in 2009 when he was quoted in one of the local dailies as saying that the NIFM conducted between 300 to 400 virginity tests annually. He pointed out that almost half the cases were women requesting a test before their wedding night in order to confirm they are still virgins. "We had other cases of women who visited the Institute with their fiancé for an inspection to eliminate any doubts about bleeding on the wedding night."⁴²⁹ These women would write in their applications that "they are going through tough and stressful times because they are living in fear that they might have lost their virginity in the past while playing or riding a bicycle. I realized that such exams are harmful and traumatizing for women, but I decided to agree to the tests from a humanitarian perspective." These kinds of tests came about in response to public and sometimes intense discussion on the issue of so-called honor killings and other similarly controversial topics around women's behavior and choices.⁴³⁰

In May 2010, several local media publicized a Chinese product that could "save the day" for women who are about to get married. One website was promoting artificial hymens for around JD20. The artificial hymen is made of elastic and filled with fake blood the website stated. Once inserted in the vagina, the woman can simulate virginity, the company claimed.⁴³¹ But physicians in Jordan warned against the use of the Chinese elastic device. One gynecologist warned that it is "carcinogenic" and affects the woman's fertility in the future.⁴³²

Another physician urged the government to clamp down on the smugglers who he said will "contribute to the destruction of an entire society through tampering with the nature and composition of the female body." As scholar Ebtihal Mahadeen states in her research: "Women's bodies are portrayed as the foundation for a healthy socie-

⁴²⁸ Ibid

⁴²⁹ Hadidi 2020

⁴³⁰ Ibid

⁴³¹ The virginity industry 2010

⁴³² Mahadeen, *Doctors and Sheikhs: "Truths" in Virginity Discourse in Jordanian Media* 2013, 85

ty and, if tampered with, the whole of society is destroyed.”⁴³³ Therefore, “women’s bodies should remain virginal and if they are damaged, - either by losing their virginity or by artificially restoring it - then all members of society will pay the price.”

Sexual Harassment

The problem of sexual harassment was ignored by the government and some segments of the society until the early 2000s when the issue began to receive more publicity in the press. In response, policymakers and society insisted on denial and claimed that the issue was being exaggerated and that in fact sexual harassment “happens in other countries but not in Jordan.” The few that would admit that there are some cases of sexual harassment, would also maintain that women invited the harassment because their attire or behavior was “inappropriate” and therefore “they brought it on themselves.”

The legal system also did not directly recognize or penalize sexual harassment. The terms “indecent flirting” or “indecent behavior”, “immoral conduct” and “immoral conduct in public places” are the phrases that were used in the legal jargon, but the term “sexual harassment” did not exist and attempts to include it in the Penal Code by activists had failed.

Veteran Clinical Psychologist and former university professor Arwa Aamiry acknowledges that sexual harassment on the streets is very common in Jordan. And in fact, according to Aamiry, there is an “admiration of men and boys who do it” while their female victims invariably are the ones who get punished by society because they are outside the sanctuary of their homes and walking publicly in the streets.”

The denial phase prevailed for most of the first ten years of 2000 and although the issue would be addressed occasionally during civil society events and activities related to so-called honor crimes,

⁴³³ Mahadeen 2013

Article 308 and gender-based violence in general, it was not at the core of any serious advocacy effort by activists. But in the 2010s, the topic came to the surface as the number of incidents increased and knowledge of that trend became more public.

On 25 June 2012, a group of young activists used social media to organize a human-chain event in one of Amman's busy streets in order to protest so-called honor killing, sexual harassment and the legal provision (Article 308) allowing the rapist to marry his victim to escape punishment. The protestors, who included men, women and children, held banners that stated: "We are equal", "We are no one's honor", "My mother is a Jordanian and her citizenship is my right", and "Rape and get married for free", among other slogans.⁴³⁴ At the time, the protest created a buzz in Jordan given the bold statements that were placed on the banners.

Six months later, another controversial development caused increased discussion around the phenomenon of sexual harassment of women in Jordan and showcased the challenge that faced activists on this issue. A group of Feminist Theory class female students at the University of Jordan were given a course assignment to produce a visual campaign on an issue that pertains to women's freedoms and rights. The group produced a two-and-a-half-minute video to express their frustration over the constant sexual harassment they were subjected to on campus.⁴³⁵ The video was uploaded to YouTube on 9 June 2012. It immediately stirred controversy among Jordanians with many charging that it was exaggerated and that the language that was used in the video was too explicit. The University of Jordan's President Dr. Ekhleif Tarawneh took a decision that appeared to respond to critics of the video. In September 2012, he removed the late Dr. Rula Quawas, who taught the course, from her post as Dean of the Faculty of Foreign Languages before the end of her tenure. Three months later, the university president rejected claims that Quawas was dismissed over the video and said she was still teaching feminist theories. "The decision was administrative, and there is no connec-

⁴³⁴ Azzeh, Young Jordanians say 'no' to sexual harassment, honour crimes 2012

⁴³⁵ YouTube, This is my privacy, video uploaded in 2012

tion between it and the movie she produced,” Tarawneh said then.⁴³⁶ He claimed that she was removed from her post as dean along with 11 other deans in other faculties before they ended their first term. Quawas explained in a newspaper interview that the administration did not directly link her dismissal to the video but maintained that all indications prove this. When the video was uploaded on YouTube, Quawas received an angry phone call from the university’s vice president. “He told me that the video has harmed the university’s reputation”⁴³⁷ After a temporary lull in activities and advocacy efforts on sexual harassment, the issue resurfaced in October 2017, the #Me-Too⁴³⁸ international campaign pushed the issue forward in Jordan again and civil society organizations as well as media channels picked up the subject again.

In November 2017, a heated debate during a German TV program⁴³⁹ between a young woman and Deputy Kharabsheh highlighted the gravity of the mindset of conservative MPs on the subject. The program was devoted to addressing issues of sexual harassment and citizenship rights and a young 21-year-old female participant brought up a sexual harassment incident she was subjected to in one of Amman’s streets.

“I am here to talk about an incident that happened to me. I am talking on behalf of all Jordanian women,” she declared. She said she went to file a complaint at a police station but that neither she nor her complaint was taken seriously and that she was not well treated by the officers at the police station. She was abruptly interrupted by Kharabsheh, a guest in the program, who questioned her nationality

⁴³⁶ UJ says dean dismissal 'unrelated' to sexual harassment video; Quawas disagrees 2012

⁴³⁷ Ibid

⁴³⁸ In 2006, the “me too.” Movement was founded by survivor and activist Tarana Burke. Over the years, a community of advocates determined to interrupt sexual violence wherever it happens grew leading to the 2017 #metoo hashtag went viral and became a global movement. Suddenly there were millions of people from all walks of life saying “me too”. <https://bit.ly/3bIRCRb>

⁴³⁹ Kharabsheh withdraw from TV show following claims by a woman that she was sexually harassed in Jordan 2017

and allegiance to the country. "Are you a Jordanian citizen? Talk only about yourself. Jordanian women do not appear on TV stations to talk about such topics," Kharabsheh lashed out at the young woman. He also turned the table on her: "You are only 21 and you have already gone through all this (sexual) experience?" "What will you do next?" he shouted angrily. The host of the event tried to calm him down and asked him to respect his female guests. Kharabsheh became more agitated at being interrupted by the host, threw the microphone down and left the studio. The incident created furor among women activists in Jordan and drew the attention of policymakers to the legal gaps that prevent female victims from seeking legal protection in such cases.

In 2017 the JNCW decided to conduct a study on the prevalence of sexual harassment in Jordan to get a measure of the scale of the problem and its manifestations. JNCW stated that the aim was to provide data and information that could contribute to a better understanding of the different forms and realities of gender-based violence in Jordan. The study also intended to assess the level of social awareness of the definition and manifestation of gender-based violence and social trends towards such practices.⁴⁴⁰ One of the interesting findings from the study was that the choice of clothing, modestly or otherwise, by the victim was not relevant to the incidence of sexual harassment.⁴⁴¹ The concept of wearing a modest outfit was highly relative and subjective and cannot be adopted as a measure to prevent harassment, the study pointed out. The study also revealed that boys and men are also subjected to sexual harassment but with very low reported incidents.⁴⁴²

JNCW used the study the following year during its 16-day campaign against gender-based violence which ran under the slogan "Speak up! Harassment is a Crime." At the conclusion of the campaign's activities, Princess Basma addressed university students and stressed the need for society to take ownership of its moral respon-

⁴⁴⁰ The Jordanian National Commission for Women 2017, 3

⁴⁴¹ *Ibid*, 1

⁴⁴² *Ibid*

sibility and help eradicate sexual harassment. “Such abuse carries with it profound physical and psychological harm for girls and women. (...) As a society, and as individuals, men and women alike, we are required to uphold the principles of courage, solidarity and morality. (...) We must seek to address all matters that limit our country’s progress, especially violence,” Princess Basma stressed.⁴⁴³

In October 2019, a local short documentary published on YouTube entitled “Jordan Speaks Up” again stirred a heated debate about sexual harassment in Jordan. The mini documentary inspired many to share their stories under the hashtag #Jordan Speaks Up on Twitter. Several people read statements in the documentary, which was directed by Rama Hamad, who was 17 years old at the time. The idea of the short film resulted from increasing stories of people who experienced sexual harassment and wanted an avenue to vent out. “They were traumatized forever, while the perpetrators go on with their normal daily lives without shame.”⁴⁴⁴

The Islamic Action Front’s Position

Scholars and researchers point out that from the 1940s until the mid-1990s, Islamists in Jordan, mainly represented by the Muslim Brotherhood and its political arm, the IAF, were firmly against women’s public involvement in political life and the country’s daily business in general. Out of their belief that women’s primary role is as a caregiver in the private household and among family, they failed to propose any clear women empowerment programs as part of their political agendas. In fact, when IAF leaders the late Yousif Al-Athem and Abdullah Al-Akaileh were named ministers of social development and education respectively in 1994, “they introduced policies that segregated the sexes in the workplace and encouraged women to wear the veil, put on less makeup and abandon high heels.”⁴⁴⁵ However, they quickly had to deal with the reality on the ground

⁴⁴³ Hussein, Princess Basma calls for unity in fight against sexual harassment 2018

⁴⁴⁴ Montanari, Documentary stirs discussion, gives voice to victims of harassment 2019

⁴⁴⁵ Al-Atiyat and Barari 2010, 376

which showed an increasing influence for women in Jordan as they became more educated and economically independent. So, in that same year, Islamists made a marked shift in their position with regards to women's involvement in political life, and elected the first woman, Dr. Nawal Faouri, to the IAF's Shoura Council in 1994. Scholars attributed this change to the social transformation concerning women during that time, especially since higher numbers of women in education translated into more women entering the labor market and becoming economically independent. There was fear that women's growing influence in Jordan will also mean that the women's rights agenda will gain ground while the IAF remains absent from that debate.

Especially with regards to the more controversial topics that were increasingly being debated in society including so-called honor killings and the PSL, Islamist leaders decided to become more involved in those debates through the participation of their own female representatives so they would not be left behind.⁴⁴⁶ The more promising, and more ideologically compliant, Islamist female members were therefore mobilized to lobby against any activity or proposed legal amendments or new laws that the IAF believed were in contravention of their interpretation of religion. To that end, they used the technique of reacting and responding to major issues and using all available means to discredit the women's movements' work in Jordan and tie it to what they claimed were Western agendas.⁴⁴⁷ As part of this campaign to discredit the calls for social reform, leading IAF figure the late Abdel-Latif Arabiyat, accused the West of strengthening its grip over the Muslim world by targeting its core i.e., the Muslim family. For him, the West sought to take control of the Arab world's economy and politics by changing the Muslim family's role in society.⁴⁴⁸ Arabiyat accused the West of focusing on the mentality and social fabrics of society, mainly women, family and youth, to implement its agenda. He went on to charge that the West used studies, conferences and international organizations to manipulate Arab communi-

⁴⁴⁶ Ibid, 377

⁴⁴⁷ Ibid

⁴⁴⁸ Abu Hanieh 2008, 115

ties to adopt their civilization and value system. He also attacked Western feminists for their use of the word “gender” describing it as a dangerous and ambiguous term. This word targeted the institution of the family and the core of civil society because it is introducing new social norms that are against the traditions and beliefs of the society, he argued.

IAF female activist Umayma al-Akhras added her voice to Arabiyat’s saying the West wants to apply its “corrupting agenda” to the Arab world. Although al-Akhras acknowledged the problems that Jordanian women faced, she insisted that Islamic Sharia should be used to “judge and litigate” when it comes to issues of values and morality.⁴⁴⁹

When it came to women’s involvement in political life, the IAF’s Mohammad Abu Fares was vocal in his opposition to women’s involvement in public life. He argued that since Sharia does not permit a woman to be her own guardian in marriage, and gave that authority to the men, then “it is a fortiori that she cannot be permitted to hold public guardianship over Muslims, their blood, money and honor.”⁴⁵⁰ To further prove his point, Abu Fares told a newspaper that he decided to leave a meeting room the minute female IAF member Arwa Kilani walked to the podium to address the gathering. He said he only returned to the hall when she finished. “I decided to withdraw when a woman took the podium because it is against the Islamic Sharia since men will be looking at her,” Abu Fares told a weekly newspaper.⁴⁵¹

But other more moderate figures at the IAF such as Dr. Ruheyil al-Gharaibeh pointed out that Islamist women have “an equal right to enjoying political leadership positions as men, with the exception of the highest post in authority.”⁴⁵²

⁴⁴⁹ Ibid, 111

⁴⁵⁰ Ibid, 95

⁴⁵¹ Ktout, Mohammad Abu Faris: It is against the Sharia for women to take the podium because they will be exposed to men’s looks 2002

⁴⁵² Abu Hanieh 2008, 95-96

Other IAF leaders were also careful to present a balanced position that allowed for some flexibility on some issues, such as the promotion of female Islamists leaders within the party's ranks but continued to press hard on what they saw as attempts to impact culture and religion. Faouri was vocal in her calls to remove legal impediments to women practicing their rights.⁴⁵³ She also called for women's full participation in developing the country politically, socially and economically. But when it came to gender equality as an overriding concept, Faouri was clear this would not be possible since it would "contradict the nature of things as stipulated in the Islamic Sharia," she explained.

In July 2001, six women won seats in the Shoura Council for the first time in the history of the Jordanian Muslim Brotherhood. Hamza Mansour, the General Secretary of the IAF declared: "The IAF by-laws underline the significance of women's participation in all fields. Their success is a natural development though still below aspirations." On upcoming Parliamentary elections and the possible role for women candidates representing the IAF, Mansour commented: "Our selection of candidates is not governed by tribal or geographical areas. We have our own mechanisms. If a woman is competent and has the confidence of the general assembly, she would be proposed as our candidate."

According to Amawi the IAF's narrative regarding women has gradually changed over time.⁴⁵⁴ Previously, the IAF focused on the role of women as housewives and on the fact that they should not assume leadership positions in a Muslim society. But in the last elections, the IAF's language turned 180 degrees towards emphasizing equality between men and women. They also highlighted the importance of women's political participation so that they would play an effective role in society. "The change in their rhetoric appears to have been motivated by the need to win female votes; hence, their slogan was: "Women are the sisters of men."⁴⁵⁵

⁴⁵³ Ibid, 123-124

⁴⁵⁴ Amawi 2001, 154

⁴⁵⁵ Ibid

History witnessed the most painful examples of injustice to women in the era before the rise of Islam, which introduced equality values between man and woman. Muslim women historically were active participants and contributed greatly to the rise and spread of Islam. "Unfortunately, with the passage of time and as a consequence of evolving circumstances in the Muslim and Arab world, dangerous digressions took over." This caused Arab and Muslim societies to return to much of what prevailed prior to Islam (the era of *Jahiliyyah*).⁴⁵⁶ But the heroic acts of women in Islamic history, their active presence and engagement in the affairs of Muslims are rarely acknowledged by Jordanian scholars, media and school textbooks. The *Sahabiyat* (female companions of the Prophet), for example, were the noble women who were active in many fields including religion, politics, education, trade, commerce, agriculture, medicine, and nursing.⁴⁵⁷ They demonstrated courageousness in war and were found on battlefields among the foremost ranks of those taking part in Jihad. The *Sahabiyat* usually accompanied the Prophet (PBUH) on his military expeditions, took part in battles and helped to keep up the morale of the army. One of the most notorious female companions who risked her life to save the Prophet (PBUH) in one of the battles was Nusseibah Bint Ka'ab Al-Maziniyah, better known as Umm Ammarah. She was one of the few devoted followers who fought next to Prophet Mohammad (PBUH) in the Battle of Uhud and shielded him with her body and warded off the enemy with her sword, bow and arrows. When one of the "infidels" got within striking distance of the Prophet (PBUH), Nusseibah bore the brunt of his attack. She was deeply wounded in her shoulder, yet she continued to attack the enemy with her sword. She also engaged with Mussailamah Kathab and fought so courageously that she suffered a dozen wounds and lost an arm. In the battle of Siffin, Caliph Ali Bin Abi Taleb employed women as speakers during the war to fuel the enthusiasm and will of his fighters. These orators were famous for their impressive voices and eloquence of speech.⁴⁵⁸

⁴⁵⁶ Abu Hanieh 2008, 124-125

⁴⁵⁷ Ghadanfar, *Great Women of Islam* 2001, 12

⁴⁵⁸ Belarbi, *Islam and Equality, Debating the Future of Women's and Minority Rights in the Middle East and North Africa* 1999, 191

In the political arena, the Sahabiyat played a prominent role. Companion Shifa bint Abdullah, described as intelligent and insightful, was constantly consulted by Caliph Umar. He often appointed her the responsibility of summing the affairs of the state relating to trade and commerce.⁴⁵⁹

Some of the Women Companions were businesswomen. Others practiced agriculture, trade and commerce, various industries, writing, editing, medicine and surgery. Khadijah, the first wife and first female follower of Prophet Mohammad (PBUH) was a very successful businesswoman and used to send trading caravans to different countries.⁴⁶⁰

The daughters of the Ansar were famous for composing verse and poetry for festive occasions as well as singing.⁴⁶¹ They recited poems in the presence of the Prophet (PBUH), who appreciated their literary skills.

Many Companion women were experts in the Sharia and Fiqh (Islamic law and the study of Hadith). But one distinguished Aishah bint Abu Baker, was reportedly talented across all fields.

Aishah was a knowledgeable and respected companion of the Prophet and was consulted on the finer points of law because of her trustworthiness, wisdom and integrity,⁴⁶² as well as her military skill leading thousands of men into the famous Battle of Camel^{463 464}.

⁴⁵⁹ Ghadanfar 2001, 13-14

⁴⁶⁰ Ibid, 15-16

⁴⁶¹ Ibid, 14

⁴⁶² Ibid, 14, 43

⁴⁶³ The Battle of the Camel (December 656), involved a fight between the forces of the fourth Muslim Caliph Ali against those of Aishah, one of Muhammad's widows, and Ṭalḥah and Zubayr, prominent Companions of the Prophet. The battle temporarily secured Ali's position but inaugurated civil war.

<https://bit.ly/3bG4Heb>

⁴⁶⁴ Mernissi 1993, 66

THE POLITICAL AND LABOR SCENE IN JORDAN

Women and the Parliamentary Life

When Parliamentary life in Jordan began in 1989, many thought it was unlikely that women will be winning seats competitively. The patriarchal and tribal systems interlocked to deny the women's movement's success in achieving its political representation aspirations. Weak political parties and resistance by the powerful Islamists groups and social traditionalists also played a role in creating what at times felt like unsurmountable hurdles in the women's pathways to political leadership positions, especially those requiring success in elections.

Nevertheless, 12 women ran for the 1989 elections out of 647 candidates. They all lost their election race. The final makeup of the Lower House of Parliament elected that year reflected the male-dominated political combination of loyalists, conservative traditionalists, and a major block of Islamists MPs, who won 26 of the 80-seat House. The fact that women sought seats in Parliament did not go unnoticed by the more forward-looking monarch. King Hussein appointed the first woman senator to the Upper House of Parliament and selected for that position former Minister of Information Layla Sharaf.

The sweeping success of Islamists in the elections alarmed the government, causing it to change its strategy ahead of the 1993 elections, and to introduce the one-person, one-vote system to limit their opportunities of success which they seemed to gain from the list system. The new election law, introduced by the government to restrict

political parties’ ability to maximize their influence, worked to add more barriers to the women’s movement political candidates. As a result, only three women competed for the Parliamentary elections in 1993 including the late Janette Mufti and Toujan Faisal. Both women competed for the Circassian-Chechen quota seats in Amman’s Third District. The third female candidate was Nadia Bushnaq who ran for a seat in Zarqa, Jordan’s second largest city after Amman. The three women competed against 547 male candidates that year. Women finally made history when Faisal succeeded in winning her seat with 1,885 votes. Mufti garnered 854 votes. In Zarqa, Bushnaq, who was known for her social work, collected 1,195 votes.

Bushnaq continued to work in the social sphere and in 1996 opened a Family Guidance and Awareness Center in Zarqa with the aim of offering social, psychological, legal and health guidance to the community. Believing in community and youth empowerment, Bushnaq’s center reached out to other vulnerable segments of the society in the 2010s, by offering food and training as well as mental, social, health and psychological support to the refugees.

Mufti was quoted in an interview in Ad-Dustour Newspaper in October 1997 saying she planned to run again once “election laws were modernized and supported women’s participation.” However, when the women’s quota was introduced in 2003, she did not run for elections. Both Mufti and Bushnaq have been appointed as senators for several terms since then.

Faisal will always be remembered for her political activism work as well as her controversial and daring stands before, during and after the 1993 historical election.

One of the earliest incidents involving Faisal was in 1984 when she organized a seminar on child abuse with the Jordan Forum for Business and Professional Women and announced numbers related to sexual child abuse cases in Jordan.⁴⁶⁵ At the time, statistics on controversial social issues, like sexual abuse, were considered red lines

⁴⁶⁵ Al-Atiyat 2003, 137

not to be crossed and were rarely acknowledged by the Jordanian society or official bodies. Faisal was immediately attacked by conservatives. Instead of analyzing the alarming statistics presented by Faisal, the government allowed Faisal to be attacked in religious sermons in mosques and accused of attempting to destroy the moral structure of the Muslim family. Islamists, according to media reports, claimed that sexual abuse of children was a “disease that existed only in the West, and that she (Faisal) should not have brought such foreign ideas to Jordan.”⁴⁶⁶ Four years later, Faisal, who moderated a TV show at Jordan Television, dedicated one of her shows to wife abuse and charged that state institutions routinely refuse to help women when they file domestic abuse charges against their husbands. Again, she became the target of vicious criticism for raising awareness of this issue. The most famous incident associated with Faisal was over an article she wrote in *Al Rai* Newspaper on 21 September 1989 under the title “They Insult Us and We Elect Them.” In her article, Faisal criticized the practice of polygamy and accused Islamists of underestimating the abilities of women.⁴⁶⁷ Observers believed that the article written by Faisal was in fact in response to a relentless two-month campaign launched by Islamists in local newspapers dedicated to discrediting women who were thinking of running the elections and arguing that “women are deficient and lacking in religious education and understanding. They are guided by their emotions.”⁴⁶⁸

The messaging from Islamist influencers was “that women need men to keep them in line and that women are only good for cooking and cleaning.” Faisal’s article did not receive any reaction when it was first published and in fact it was not mentioned until she announced her decision to run for elections in October. Things immediately took a bad turn. She was declared an apostate by two conservative Islamic leaders, including one who was serving in the Jordanian Army. A complaint was filed against her at a Sharia Court demanding her marriage be annulled and guaranteeing immunity for

⁴⁶⁶ Ibid

⁴⁶⁷ Ibid

⁴⁶⁸ Ibid, 137-138

anyone who shed her blood, in what many considered an open call to murder. The court examined the complaint but decided to postpone issuing a verdict until the election results were final. One day before the elections were held, however, the court went back on its initial announcement and threw the case out claiming that it was not within its jurisdiction. Observers of the developments at the time, described Faisal’s life during that period as being very difficult and weighted with the constant threats to her life. Supporters of Faisal also believed that the state intervened to protect her only “in order to safeguard the image of the country and to limit the popularity and power of Islamists.”⁴⁶⁹

Faisal ran for the 1993 elections at the age of 53 with a human rights and political agenda that went beyond her limited Amman district. She told supporters that she was running to become a representative of the nation rather than focusing only on women’s rights. By then, she became known and respected by many Jordanians and political observers who were yearning for new blood in Parliament and a brave voice. Her bold and courageous stand in the face of what many believed was bullying from the influential Islamist political party and its supporters encouraged people to come out and vote for her. Her win was not well-received by Islamists and conservatives who failed to see her as a serious woman with a serious political agenda.

On her first day under the Dome, the late Islamist deputy Abdul Min’em Abu Zant welcomed Faisal to the legislative house with offers of sweets and 10 Islamic robes. He told her his welcome was conditional on her not wearing makeup and wearing Islamic dresses. Her response was swift and sharp. “I did not expect such a statement. I expected at least minimum respect and politeness from any deputy. I am not in need of his ten robes, and I think I can afford my own clothing. How can a strange man who is not even a relative of mine give an opinion or tell me what I need to do and how to dress? I did not give

⁴⁶⁹ Ibid, 139

him my opinion of how he looks or what he wears. I believe there are more important issues to discuss [in the Lower House]."⁴⁷⁰

In another incident, a male deputy, feeling provoked, threw an ashtray at Faisal following a heated argument. The ashtray missed her, but the incident caused the president of the Lower House to remove all ashtrays at a later stage and replace them with light metal ones that were fixed to their tables. The male deputy in question was not removed from the session.

Meanwhile, women's groups in Jordan realized that the path to the Lower House of Parliament was not an easy one if only because of the embedded conservative social convictions that were prevalent at the time and the restrictions imposed by the one-person, one-vote system.

By then, it became the strategy to account for those impediments and therefore advocate for the introduction of a quota for women present in the Lower House.

A coalition of women leaders, representing civil society and women's groups, was formed in 1996 to demand a 20 percent quota for women in the Parliament.⁴⁷¹ The coalition succeeded in collecting around 15,000 signatures to support their demands and met with government officials, MPs and senators to open discussions on the way forward. With little support for their demands, and encouraged by Faisal's win in the last elections, they decided to continue to seek Parliamentary seats through open elections. Seventeen women announced they were running against 544 male candidates. Faisal was one of the 17 who decided to run again. Despite the wide-scale boycott of the elections by major parties, including the IAF, in protest against the one-person, one-vote system, none of the women running won, including Faisal who managed to collect an impressive 4,227 but still failed to gain a seat. Faisal claimed that there was vote rigging and that military personnel, who by law are not allowed to vote,

⁴⁷⁰ Husseini, Faisal rejects fellow deputy' criticism, vows to continue campaign 1993

⁴⁷¹ The Jordanian National Commission for Women 2011, 97

participated in the elections and voted for the state-favored candidates. She contested the results at a court but lost. Faisal remained politically active and contributed dozens of media articles and columns to various media outlets.

But in 2002, Faisal had a major confrontation with the authorities when, via the internet and in interviews with international media, she accused a high-level official of being corrupt and benefitting from his position financially. She was charged with defaming the state and publishing material that was harmful to the country's reputation, its citizens and officials. On March 27 she was released on bail but was arrested two days later after inviting the press to discuss her case. She was tried at the State Security Court and convicted on May 18 and sentenced to 18 months in prison. During her time in prison, she went on a hunger strike for 29 days to protest her detention and was transferred to a medical facility as a result. She was pardoned by King Abdullah before finishing her prison term “for humanitarian reasons.”

Leading IAF figures, who had clashed with Faisal before, stood by her at this time calling for her immediate release and arguing that she was tried under unfair laws that they said restricted freedom of speech. However, and because of the conviction, Faisal was unable to run for elections ever again. At the time, State Security Court rulings could not be appealed.

Sabbagh reflected on the disappointing 1997 election results noting that it worked as a turning point in convincing both men and women that a “temporary” quota was needed to break the psychological barrier that resisted women’s presence in the Parliament.⁴⁷² Since women groups and civil society actors had already decided to form a coalition, the JNCW teamed up with the coalition to advocate for the women’s quota and met with decision-makers and the local media to win their support for the idea. Armed with the 15,000-strong petition, organized through the efforts of the coalition mem-

⁴⁷² Sfeir, *On Activism: An interview with Amal Sabbagh* 2005, 67

bers, the JNCW also organized a national conference calling on the executive authority to introduce a quota for women.⁴⁷³

As an advocacy approach, this proved to be a successful strategy that created a large support base. It succeeded also to push forward the proposal of a quota for women in Parliament to the public realm and prepared the population to accept that idea. The quota system became a reality only a few years later when King Abdullah, who believed in the importance of women's political participation, approved the idea.

In 2001, one female candidate was chosen to the Lower House for a brief period through internal elections. Deputy Nuha Maaytah was elected to replace a male deputy who died during his service and she became the second woman to serve in the Lower House of Parliament. However, her time as MP lasted only around three months because King Abdullah dissolved the Parliament at the end of its 4-year term. Maaytah reflected on her short experience, in an interview with a local newspaper, saying her election was the result of an intense one-month period of lobbying with the MPs to introduce them to her work with women in rural areas and small villages and what she stood for. Maaytah, who also served as the president of the General Federation of Jordanian Women (GFJW), said she was elected after several rounds of voting because of the work she had compiled over the years on women's issues.

The elections were slated to take place in November 2001 but were postponed due to the political situation in the area. The second Palestinian Intifada occurred during this period and tension was mounting in the region because of the expected war on Iraq. The government had also introduced a new Election Law but decided to re-examine the draft bill and postponed the elections as a result.

⁴⁷³ Ibid, 66

Meanwhile, the debate among the civil society over introducing a quota for women in Parliament grew more persistent following the repeated failure of women during elections. While Parliament was absent, a “Jordan First” initiative was being launched by the government and other official institutions to review state strategies with regards to national priorities. To fulfill the mandate of the initiative, a special committee was appointed and tasked with developing a comprehensive and constructive document to pin down the national priorities across sectors and present recommendations to tackle them. Among the recommendations of the initiative was the introduction of a temporary and transitional quota for women in the Lower House of Parliament. The recommendations were presented to King Abdullah in December 2002. The King gave direct and immediate orders for the government to follow through on the “Jordan First” recommendations.⁴⁷⁴

In late 2002, the government announced that it was increasing the number of seats in the Lower House of Parliament from 80 to 110. Of the 110 seats, six were allocated for women via a quota. The King also appointed three women to the Senate. The new six-seat quota was met with mixed reactions from leading women figures. Some expressed concern that the quota might bring unqualified or inexperienced women to the Lower House of Parliament, while others welcomed the quota saying it would open doors for more women to be represented in the Lower House of Parliament. Proponents believed the move would contribute to embedding women in the Parliament and allow their performance to convince people of their suitability as legislators. Sabbagh, who was the secretary general of JNCW at the time, said the women’s quota was needed for a limited period to break the psychological barrier around this issue.⁴⁷⁵ Women groups in general, however, were disappointed with the six-seat allocation since they were hoping that the number would be 12. The IAF immediately attacked the quota system charging it was “unconstitutional” and that it favored women over men.

⁴⁷⁴ King Meets the National Committee on "Jordan First" 2002

⁴⁷⁵ Sabbagh 2020

A total of 760 candidates including 54 women competed in the 2003 Parliamentary elections.

The IAF position on the quota remained unchanged, even after two female Islamists were elected via the quota system. In fact, they backed their fellow party member Hayat Museimi to win a quota seat during the 2003 elections but their public position remained against the allocation of a quota for women.⁴⁷⁶ Museimi won the women's quota seat in Zarqa (7,133 votes) and IAF affiliate Adab Saud won a seat in Tafileh (1,132 votes.) Museimi believed that the number of votes she received qualified her to gain a seat outside the quota and charged that the government and security agency deprived her of this victory. The IAF strategy was to support female candidates from their party in order to increase the party's numbers in the Lower House of Parliament but also so that their female MPs would deliver the Islamist point of view on women's issues.⁴⁷⁷ In the same vein, and for the same reasons, they worked hard to block the win of any other female candidates outside their party and especially those involved in the women's movement.

The four other female MPs who won via the quota allocation were, as prescribed by the quota governorate allocation in the elections law, from governorates outside Amman. They included Dr. Falak Jamaani from Madaba (1,048 votes), Nariman Roussan from Irbid (1,684 votes), Insaf Khawaldeh from Tafileh (365 votes), and Zakieh Shamayleh from Karak (1,336 votes).

Jordanian sociologist Rbeihat, who became a minister of culture in 2009, said in an interview published in *The Jordan Times* in July 2003 that the low turnout for women was the result of a combination of two factors: firstly, was what he vaguely described as "jealousy between women," but more importantly he pointed out that society had apparently "succeeded in convincing women that men are more suited to political leadership positions." "Women were basically the reason behind their peers' inability to win enough seats because

⁴⁷⁶ Al-Attayat, Shteivi and Sweiss 2005, 41

⁴⁷⁷ Ibid

they chose to vote for men.” Statistics supported Rbeihat’s claim that women did not elect their peers, triggering discussion and analysis around the motivation behind women’s lack of confidence in the ability of women to be political leaders. Out of over 713,000 registered female voters, the 54 females who ran for the elections were only able to collect 36,382 votes. Jordanians were still unsure if women can succeed in the political world because many still carry deep rooted beliefs and perceptions about women's ability to perform well as a political leader. Apart from a societal bias towards women, he also pointed to tribal influences that also contributed to the dominance of male candidates during the elections. “We are living in a tribal and patriarchal society where women are brought up to believe that men are superior and are able to make decisions better than women.”

According to Rbeihat another embedded perception among voters is that the MP’s role requires attending public activities – political as well as social – as well as mixing with both men and women. Therefore, they cannot see women being able to fulfill a role which requires them to stay in touch with their constituencies at all hours including attending weddings, funerals, or bailing people out of prison.

Other barriers include traditional social and cultural beliefs and upbringing that restricts woman's world to the private space of their homes. Women candidates’ inability to receive the same financial support, from their families, tribes or even political parties, to cover the cost of their parliamentary campaigns in the same way as their male colleagues, also played a factor.

In several elections since 1993 it was clear that attitudes to female MPs were inhospitable. Before the quota was introduced, many men said they believed that women were not ready yet to serve in the Parliament. Men would often say that women “belonged at home with their children.” After the introduction of the quota there was excitement about the prospects it brought with it, but there remained what could be described as an “aggressive attitude” towards the ascension of women to political positions, not only by men but also from women. In random street interviews with voters attending election centers, these were the words of a middle-aged woman from the

suburban town of Mahes just outside the capital Amman: "What? You are asking me to vote for a female candidate? To hell with women. I will never vote for a woman. How can you expect a man wearing an Abaya (traditional overcoat reserved for male tribal leaders) and brandishing a big mustache to follow a woman? This job is just for men, not women." A man from Maфраq said: "I would rather die than elect a woman ... even if it was my mother."

The disappointing results which denied women the opportunity to competitively win seats in the larger constituencies such as districts of the capital Amman - which did not have quota seats for women - pushed a group of human rights and women activists to draft what came to be known as the "Jordanian Women's Document." The document tackled one of the controversies in the elections law which weighted rural and less populated governorates allowing tribal representation to supersede the number of representatives from heavily populated cities. The quota allocation followed the same formula with more seats for women from tribal areas and rural governorates than from main cities. The Jordanian Women's Document demanded the election law, which it said allowed women to win in small districts with modest votes, while other candidates from more dense population were deprived from reaching the Parliament despite gaining thousands of votes. The document argued that the election system was unfair and urged the government to introduce a new law that was based on the Proportional List system and therefore allow women from highly populated areas a better opportunity to succeed. Their demands also included increasing women's representation quota in the Lower House of Parliament to 30 percent.⁴⁷⁸

Meanwhile, the successful female candidates from the governorates believed their victory came as a result of their daily interactions with people in their small and rural communities. They said they visited people in their homes to discuss their needs and it was due to this kind of personal interaction, which they believed was difficult to

⁴⁷⁸ Al-Attiyat, Shteivi and Sweiss 2005, 51

achieve in larger cities such as Amman and Irbid, that they were able to gain enough votes to win.⁴⁷⁹

Female candidates from the more highly populated cities attributed their failure to what they described as “dishonest promises from voters” to cast their votes in their favor when they had no intention to elect them.⁴⁸⁰ They also blamed other factors such as the delayed announcement of the women’s quota and the unfair voting system.⁴⁸¹

The next elections in 2007 produced an important win for one female outside the quota system. MP Falak Jam’ani from Madaba won a seat in direct competition in addition to the allocated six seats for women nationally. The number of women who competed for Parliament that year was 199 out of 885 candidates. Jam’ani’s win gave a boost to women in Jordan and provided proof, so to speak, that the quota provision in the election law has worked to sway the mindset of the Jordanian public towards acceptance of women as political leaders. Unlike Faisal, Jam’ani received full backing from her constituency and the majority of the MPs.

In 2010, the quota allocation for women was expanded to 12 seats for the 12 constituencies (excluding the three Bedouin districts). The law stipulated that women who received the highest percentage of the total number of votes cast in their constituencies would take a quota seat in the Lower House of Parliament. Former Deputy and Economist Reem Badran did not need the women’s quota during the 2010 Parliamentary elections because she won through direct competition in Amman’s Third District. She collected 3,792 votes. Badran, when running for elections, spoke against the quota because she said she believed that the best male or female candidate should be elected without the need for positive discrimination. But after Badran was elected and started her service in Parliament, she said she realized the importance of the women’s quota.⁴⁸² “The politi-

⁴⁷⁹ Ibid, 42

⁴⁸⁰ Ibid

⁴⁸¹ Ibid

⁴⁸² Badran 2020

cal parties are mostly headed by men, and their secretary generals are also men, which means we don't have an inclusive atmosphere for women to take her successfully to Parliament. So within the existing societal and political/legal environment, the only way for women to take their place in Parliament is through a quota system."⁴⁸³

The 12 women who won through the quota system included: Wafa Bani Mustafa, Abla Abu Elbeh, Nariman Rossan, Asma Rawaideh, Huda Abu Ruman, Khlood Marahleh, Rudeinah Atti, Amal Rfou, Salma Rabadi, Samia Oleimat, Miasar Sardieh and Tamam Riati.

In 2015 the government amended the elections law once again and granted 15 constituencies one seat each for women raising the overall number of quota seats from 12 to 15. But still unsatisfied, in 2016, the women's movement lobbied the government and the MPs to increase the number of women's quota seats to 23 allowing for one quota seat for each constituency. The Parliament disregarded their demand when the assembly discussed the draft 2016 Election Law. The women's movement was also about to receive another blow following a "quiet" proposal by the Lower House's Legal Committee to limit the women's quota seats to 15 and add the provision that women would not be able to gain any seats outside the quota therefore placing a ceiling on the number of women that can be elected to the House.⁴⁸⁴ The legal committee kept the proposal secret until the voting session when MPs Bani Mustafa and Dr. Rula Hroub, as well as other MPs, were confronted with the added restriction and immediately contested the suggestion. The speaker of the Lower House halted the voting and ended the session. The following day Bani Mustafa and Hroub met with government officials to explain their position and the suggestion was killed. Some deputies attempted to convince female MPs to accept the suggested changes arguing that it would work to their advantage in future elections. Bani Mustafa recalled: "They tried to convince us that it would be easier for us to win in the next elections based on this. We rejected their offer because we

⁴⁸³ Ibid

⁴⁸⁴ Bani Mustafa 2020

will never agree to adopt laws that are only beneficial to us. (...) Our aim is to have more female representation in the Lower House of Parliament.”⁴⁸⁵

The introduction of the women’s quota back in 2003 not only paved the way for more women to be elected as MPs but also played an important role in the societal acceptance of women in other political positions. For example, when the government did not introduce a quota for women in the 2016 Decentralization Law, it was the deputies and senators who added a 10 percent quota for women in the governorate councils, and 25 percent of seats in the municipal councils and 1 seat out of 5 in local councils. The growing number of female MPs have contributed to an increased participation in Parliamentary committees which in turn has built positive impressions of their presence in the House.⁴⁸⁶

Another female MP who also fought hard for women’s rights alongside Bani Mustafa was Head of the Parliamentary Women’s Caucus Rasmieh Al Kaabneh. She was focused on creating spaces for face-to-face meetings with women from various parts of the Kingdom in order to hear their priorities, needs and demands. Kaabneh’s vision was to try to solve the problems Jordanian women are facing in the country by engaging in dialogues and collecting information to move forward and tackle laws that discriminate against women. Kaabneh, who dedicated much of her career to addressing the urgent needs of women in poverty pockets, was also a strong believer in building a common voice and position among women MPs: “I am hopeful that female deputies will realize the important role they can play in the fight for women’s rights if they unite their efforts and positions.”⁴⁸⁷

⁴⁸⁵ Ibid

⁴⁸⁶ Ibid

⁴⁸⁷ Hussein, Female parliamentarians, activists meet to discuss ‘discriminatory laws’ 2018

Meanwhile, the widespread use of social media by legislators attracted a new form of cyber violence which was intended to dissuade them from seeking to exercise their political rights. According to a report on violence against women in the elections in Jordan that was released in 2020, the harassment and sabotage of election campaign materials forced a female candidate in the 2016 elections to exchange her personal photo on a banner with the picture of a flower bouquet out of fear that her image will be distorted or destroyed by opponents.⁴⁸⁸ The report suggests that gender stereotypes and conservative values are often used to criticize female candidates who published their photos as part of their campaign. In some cases, husbands threatened their wives with divorce, often at the behest of their tribal base, to dissuade them from running for elections.⁴⁸⁹ In fact, there was a case of one woman who reported that she was divorced by her husband because she refused to withdraw her candidacy in favor of a male candidate in her area. Several women were reported to have been subjected to abuse and violence by male family members in order to pressure them to vote for a certain candidate chosen by the family. The violence included threats of divorce. In another case a woman said she was forced to pretend that her hand was broken so that her husband would walk inside the voting booth with her and vote on her behalf.

Another woman claimed to be illiterate so that she can utter the name of the candidate in front of her husband. A brother reportedly hit his sister in front of an election center because she refused to vote for the candidate of his choice.⁴⁹⁰ Former female Parliamentary candidates, who were interviewed in the report, stated that they faced hate speech through social media with material that was threatening in nature, negative, defaming and targeting their personal lives. In other instances, unknown social media users would open fake accounts in the name of the female candidates to attack them

⁴⁸⁸ Bina, Mahadin and Khasawneh, Report on Violence Against Women in Elections in Jordan 2020, 10-12

⁴⁸⁹ Ibid

⁴⁹⁰ Ibid, 21

and their family members or hack their accounts and post offensive content that could be of sexual nature.⁴⁹¹

However, would be female legislators were not deterred by the cyber abuse or general bullying from family and tribe. In 2016, five women won seats in direct competition alongside the 15 seats won through quota. Despite this win, the women’s movement continued to look forward and call for at least a 30 percent representation in the Lower House of Parliament as well as more prominent representation in other leadership policy making positions in order to meet international standards for women’s political participation as stipulated in the international conventions.

Women and Political Parties

Women used to play a pivotal role in the political parties during the 1940s and 1950s and were active both in the nationalistic and women’s causes. However, when martial laws were imposed in Jordan in the mid-1950s, all political parties were dissolved although many continued to work secretly. Black September and the unstable situation in the country as a result burdened the women’s movement and hindered their involvement in the political life.⁴⁹² Government suppression of political parties during that era, especially by imposing laws to combat Communism, compounded the toll on the women’s movement, impacted civil liberties in the country and weakened political parties. Many Jordanians distanced themselves from political parties out of fear that they may be imprisoned, denied permission to travel, fired from their jobs, or tracked and harassed by the security forces.⁴⁹³ The repercussions of the martial laws imposed in the 1950s continue to weaken political parties beyond the date when they were lifted and many would continue to suffer until this day.⁴⁹⁴

⁴⁹¹ Ibid, 24-25

⁴⁹² E. Naffa n.d., 7

⁴⁹³ Ibid

⁴⁹⁴ Abu Elbeh 2020

The political parties in fact took the lead in kickstarting the women's movement in Jordan in the 1950s, SADAQA co-founder Randa Naffa said in an interview. But when the martial laws were imposed and the parties were dissolved the state began extracting activism work from its roots. Instead, they started introducing elitist women to take over the scene.⁴⁹⁵ The government started handing out senior or prominent positions to women in return for addressing women's issues in "an artificial manner" which essentially meant without political implications. "This ensured the absence of any voices that would challenge the authorities or the status quo."⁴⁹⁶

The government placed a "blockade" on political parties which continues until this day, according to Abu Elbeh from the Jordanian People's Democratic Party (HASHD). In an interview on 13 August 2020 she explained: "The work of political parties was often criticized by the media during that time," which meant that many Jordanians avoided joining political parties out of fear. This feeling continues until today. People still believe that they could be "harassed by security agencies in the same way they were in the 1950s, 60s and 70s."⁴⁹⁷

In 1992, a new Political Parties Law was introduced opening the door for women to become active participants although the reality was that political parties did not seriously recruit women members, there was very little uptake of this new opportunity by women and if it did happen the women's roles within political parties remained cosmetic and symbolic. Abu Elbeh complained that the current Political Parties Law is not helping either. "The law is actually impeding our recruitment drive and expansion of work into the society." Political parties in Jordan are not allowed to be active in universities.⁴⁹⁸ Students who engage in any party activism like campaigning or recruiting on campus risk their expulsion.

⁴⁹⁵ R. Naffa 2020

⁴⁹⁶ Ibid

⁴⁹⁷ Abu Elbeh 2020

⁴⁹⁸ Ibid

In addition to security and political barriers imposed on the parties, restrictions on the women's representation and involvement in these bodies meant that the membership of women in political parties is minimal and weak.

Towards the end of the 2010s, the percentage of women's participation was around 35 percent with only three women holding the position of secretary-general.⁴⁹⁹

Gender Equality, Organizational and Sustainable Development Consultant Hala Ghosheh said in an interview on 10 August 2020 that mainstream politics need to constantly account for gender and women's issues. The discourse of the political parties has fallen short from capturing gender equality and human rights issues. "I feel that women representation is about tokenism in most cases and in many political parties."⁵⁰⁰

By the year 2011, Jordan had 21 registered political parties. The published principles the parties follow replicate the guidelines of the Constitution and other civil laws that stress that "all Jordanians" or "all citizens" have the right to form and join political parties. And although these laws do not discriminate against women, they also do not stipulate a mechanism that would guarantee a certain percentage for women's representation or include any articles that would propel women towards assuming leadership positions.

Meanwhile, women's participation in professional associations in 2010 stood at 22.7 percent of the total numbers of members. Similar figures were also present in trade unions. Yet, only 3 percent of the associations' board members are women.⁵⁰¹ According to a study that was conducted in 2016, there are many challenges facing female members of professional associations and unions, including their weak presence in leadership and decision-making positions. This "affected their bargaining power within union and association struc-

⁴⁹⁹ The Jordanian National Commission for Women 2019, 6

⁵⁰⁰ Ghosheh 2020

⁵⁰¹ The Jordanian National Coalition 2012, 2

tures, and in turn, their working conditions.”⁵⁰² The study indicated that women’s weak presence in leadership positions also reflected these organized bodies’ “lack of concern” for their female members’ voices, welfare and engagement in their work. As a result women’s absence from these leadership positions also fed into the cycle limiting their ascension, as they in turn fail to serve as role-models and mentors to other members.⁵⁰³

Other factors were quoted as contributing to women failing to rise to leadership positions in professional associations and unions including lack of effective training programs, support and mentoring networks to help women develop the knowledge, and the skills and experience necessary to become leaders.

Lawyer and human rights activist Nour Emam said the percentage of female lawyers at the Jordan Bar Association stood at 30 percent of the approximately 13,500 members-strong association. The veteran lawyer listed several barriers that women face in this profession, most importantly financial barriers because they do not have enough money to rent an office on their own. This reality forces many talented female lawyers to work as employees at a male lawyer’s office.⁵⁰⁴ Another barrier is social since the legal profession in Jordan is mostly based around social networks and connections, “but it is hard for women to expand their social circles or attend social gatherings at night with their male colleagues.” Women’s inability to participate actively in the Association’s work, by joining its committees for example, does in fact limit their access to resources and hinders them from gaining relevant experiences.⁵⁰⁵ The Jordan Bar Association does not include a single woman in a leadership position although females constituted 25.4 percent of its membership in 2017.⁵⁰⁶ Interestingly even professional associations who have a majority of fe-

⁵⁰² Shabana, *Status of Women’s Participation in Jordan’s Trade Unions and Professional Associations 2016*, 16

⁵⁰³ *Ibid*

⁵⁰⁴ Emam 2020

⁵⁰⁵ *Ibid*

⁵⁰⁶ The Jordanian National Commission for Women 2019, 6-7

male members, such as the Jordan Nurses and Midwives Council and the Jordan Teachers Association, have a male chairperson.

Women in the Municipalities

Up until 1982, women could not run or vote in the Municipal Councils. The law was amended that year to allow them to take part in the elections, but it took women 13 more years to exercise their right to run and vote for the Municipal Elections.

In 1994, Princess Basma decided to help break social barriers by suggesting that the government appoint women to serve in each of the 99 municipal councils in the country in order to create a layer of female municipal representatives that could serve as role models. Princess Basma is a firm believer that appointing women in municipalities will further complement the women’s movement’s efforts and contribute to engaging women from rural areas in the affairs of their communities. She has a strong conviction that any successful development and women’s empowerment needed to grow from the community base. Her idea meant that more women would be introduced into the public space to work as public servants in the different parts of the country.

The Jordanian National Forum for Women (JNFW) was formed expressly for that purpose in the mid-1990s. The entity was entrusted with empowering women in the governorates to prepare them to run for municipal elections. The government approved the proposal from Princess Basma and duly appointed 99 women to council seats in 1994. In the 1995 Municipal Elections 10 of the 20 women who ran for Municipal elections won, including one who became mayor. However, the 1999 Municipal Elections were disappointing for women since only eight women were elected out of 43 who ran for elections to the 2,530 mayoral and council positions. The government appointed 25 women to a number of the city councils.

Shortly after assuming his powers, King Abdullah sent a letter to his first Prime Minister Abdur-Ra’uf Rawabdeh, that reflected his vision for increasing the number of women in all life aspects: “We

realize that women, who make up half the society, are in need of measures to protect their rights and their free expression, so as to take up their role in political, social, economic and administrative life in Jordan (...) There is a need to open the door wide to women and to remove all obstacles in their path to help them contribute to the building of a sound and integrated society.”

In 2003, the city councils merged to become only 99 down from 328. Forty-six women ran for elections but only five won seats. The government appointed 98 women to ensure that they are present in each city council.

The JNCW, JNFW and other women organizations launched a nation-wide campaign to collect signatures demanding to designate a 15-20 percent women’s quota in municipal elections. The government of then Prime Minister Marouf Bakhit pledged to introduce a quota for women in the next elections and to hold nationwide debates regarding the municipal elections law. In 2007 the government introduced a 20 percent quota for the municipal elections that year, in response to the women’s organizations demands, resulting in women winning a total of 215 seats across 93 municipalities. A total of 195 won through the quota, while 20 women clinched seats through direct competition. In addition, a female mayor was voted into office through direct competition against male candidates making her the second woman to reach that position after that first win in 1995. Separately, in January 2007, the government appointed the first female governor in the country’s history.

In July of 2011, the Parliament endorsed amendments to the Municipalities Law, which included increasing the women’s quota from 20 percent to 25 percent in every municipality and local council. The Law on Municipalities of 2015 was amended introducing at least 25 percent of seats in municipal councils to women. The results of the 2017 elections showed some gaps in implementation. In addition, female winners were marginalized and prevented from assuming leadership positions or chairing committees.⁵⁰⁷

⁵⁰⁷ Ibid, 5

A local study pointed out that prevailing societal perception of women’s roles in the councils showed a gap in opportunities for advancement and training for men and women. While men could travel and participate in training courses and activities outside a governorate or abroad, women were restricted by society’s concerns about women traveling without their male guardians. Also, it became apparent that men had more influence within the councils and were given the opportunity to lead or have their opinions heard.

Women in the Labor Market

Women joining the labor market in the 1940s faced stiff societal opposition. The government contributed to this social rejection by banning women from serving in government institutes until the year 1947 in what was seen as a manifestation of the patriarchal ideology adopted by the state at that time. For example, the most common and socially acceptable jobs for women were those of teachers, nurses and in more rural areas, agriculture.⁵⁰⁸ It was not until the 1970s that it became more acceptable for women to join the labor market as society started to change its attitude to women’s economic participation and the childbirth rate in the country decreased. It came hand in hand with an increase in the costs of education and living which drove home the need for women to enter the job market and diversify sources for family income.⁵⁰⁹

In 1976, the Business and Professional Women Forum (BPWF) was formed in an initiative to engage non-governmental organizations in boosting women’s participation in the labor market. The JFBPW supported women to gain access to financial help and provided them with legal counseling. Studies in the 1980s and early 1990s indicated that single women found it easier to get a job than married women because employers believed they were “less preoccupied with family responsibilities” and that married women might

⁵⁰⁸ Dababneh 2005, 143

⁵⁰⁹ Ibid, 144

take time off to attend to their children and other family responsibilities.⁵¹⁰

According to the study, other factors that limited women's participation in the labor market included early marriage and husbands forcing their new wives to quit their jobs and stay at home.

According to Gender, Management and International Development Specialist Reem Aslan, the year 1996 marked a turning point in Jordan in terms of women's participation in the labor market. Efforts were exerted on many levels to narrow structural and institutional gaps in the Jordanian labor legislation and practices governing gender equality in the world of work.⁵¹¹ This was followed by the social security law where in 2011, maternity insurance was introduced.⁵¹²

Another turning point for Jordan was the establishment of the National Committee for Pay Equity (NCPE) in 2010. The Committee was established as a joint initiative between the JNCW and the Ministry of Labor. The technical and financial support came from the ILO. The Committee aimed to provide a structural framework to work on amending social protection and labor legislation and to ensure equal pay for male and female employees.

In that vein, the Committee tackled three main pillars of organizational action including: mobilizing stakeholders, building momentum and buy-in nationally through sensitization and awareness raising, as well as empowering employees by raising their awareness about the need to advocate for their own rights.

Urging more gender-responsive labor laws, the committee proposed amendments to the Civil Service Regulation and paternity leave was introduced in Jordan for the first time.⁵¹³

⁵¹⁰ Ibid, 145, 147

⁵¹¹ Aslan 2020

⁵¹² Ibid

⁵¹³ Aslan 2020

Joining the campaigners, activists and policymakers working to create change in the levels of women’s economic participation, a group of young mothers and activists came together to address one of the key issues they felt was limiting women’s participation in the labor market. In 2011, a CSO, SADAQA or friendship in English, commenced its work by lobbying to open nurseries at workplaces and ensuring equal pay.

Their focus expanded later to address challenges within the public transportation system and ensure that women have access to safe and reliable transportation to and from their jobs. SADAQA advocacy efforts targeted Article 72 in the Labor Law that required employers to establish day-care centers at workplaces. However, their efforts were faced with challenges they attribute to “a patriarchal system that is backed by capitalism...We had to aim our strategies towards a long-term advocacy of government officials, MPs and the business owners. It took us 10 years,” Sahar Aloul, executive team member at SADAQA explained.⁵¹⁴ The resistance came from some women as well. “Some women activists were against our calls for nurseries for the children of both the mother and father employees because in their point of view this provision was something that only applied to women.”⁵¹⁵

To further ensure that their advocacy work would get the necessary support, the group took a strategic decision to cooperate with the Ministry of Labor.⁵¹⁶ The organization believed that cooperating with the ministry was important because it has the authority to inspect workplaces in terms of their obligation to establish nurseries.⁵¹⁷ At the same time, the ministry has the power to exert pressure and come up with mechanisms to obligate employers to commit to opening or maintaining the nurseries they have. Involving ministry officials in strategies and campaigns became therefore part of the group’s approach.

⁵¹⁴ S. Aloul 2020

⁵¹⁵ Ibid

⁵¹⁶ R. Naffa 2020

⁵¹⁷ Ibid

Dr. Mary Kawar, who was a former senior ILO official and Minister of Planning, explained in an interview on 19 February 2020 that the reason women face unemployment is because Jordan's economy was not creating jobs. "Between 2000-2008 before the global crisis, Jordan's growth rate was around six to seven percent. The economy was creating jobs during that period and it was a golden opportunity for the government, but they overspent on infrastructure."⁵¹⁸ Women faced additional societal, familial, economic as well as logistical barriers such as maternity, household chores, salary inequality and lack of adequate transport. Some of these barriers are related to gender wage gaps, lack of day care centers at employers' establishments and violence and harassment at work.⁵¹⁹

The 2014 women's labor participation numbers placed the percentage of women in the public sector at 12.4 percent while it stood at 13 percent in the private sector. Several factors contributed to the low figures including social barriers and norms such as the expectation that women should follow traditional gender roles that required women to assume "socially acceptable" jobs in the health, education and public administration sectors.⁵²⁰ Other factors hindering women's economic participation were related to the "women-unfriendly" public transportation, and "discriminatory working environments." Many employers also prefer to hire males over females because "they are perceived to be more productive, more capable and work longer hours."⁵²¹

Another important yet alarming 2015 study which explored reasons for women's withdrawal from the labor market revealed that women were leaving their jobs because they felt discriminated against.⁵²² The national study, which surveyed 600 women in the years between 2008 and 2013, concluded that conditions enforced

⁵¹⁸ Kawar 2020

⁵¹⁹ Ibid

⁵²⁰ Al Khadra, Euro-Med Ministerial Conclusions on Strengthening the Role of Women in Society 2015, 23

⁵²¹ Ibid

⁵²² Azzeh, Alarm sounded as women constitute 13% of labor market 2015

on women by their employers was one of the main reasons for their decision to quit their posts earlier than they normally would.⁵²³ The study’s finding was mostly relevant to jobs in the private sector, according to 86 percent of the surveyed. Around 50 percent of the women who left their jobs were aged between 25 and 34. A noteworthy 44 percent of those surveyed said low wages was another factor for women leaving their jobs. Low financial returns make women’s work unfeasible especially if alternative care arrangements need to be arranged, and paid for, for children and the elderly in the family. The study highlighted this issue as a valid reason for women quitting their work. More than 54 percent of the women surveyed stated that they depend on family members (mainly parents) to take care of their children while at work, compared to 22 percent who said they relied on childcare facilities.

In 2015, a group of teachers from Irbid working in private sector schools prepared to launch a campaign that aimed at setting up a legal process to protect teachers’ wages in the private sector after it was violated for years.⁵²⁴ In 2017, the Stand Up for Teachers Campaign was launched with the aim of advocating for wage rights for the private sector teachers and to secure the full payment of their salaries. The campaign, supported by the ILO and the National Committee for Pay Equity, raised the issue of private schools paying female teachers less than the minimum wage.⁵²⁵ Teachers were denied financial compensation for delivering extracurricular activities, while others were forced to resign their jobs at the end of the school year in May to be rehired again at the beginning of the next school year in September to avoid paying teachers their salaries during the summer school break. Teachers were also often deprived of annual leave and could be coerced to resign or lose their contracts if they became pregnant.⁵²⁶ One year after the launch of the campaign, the government endorsed the Regulation of Registration and Licensing of Pri-

⁵²³ Ibid

⁵²⁴ Haj Ahmad, Stand up with the teacher campaign: An experience of collective voice Irbid, Jordan 2017, 3

⁵²⁵ Ibid, 1

⁵²⁶ Ibid

vate and International Schools that ensured some 37,000 teachers, mostly women, will receive their salaries through bank transfer and electronic transactions. Women are entitled by law to receive maternity benefits if they have a social insurance record of no less than six successive months through their work in the private sector. This law stipulates that all employers will have to pay a mandated contribution to the fund that would go towards covering the salaries of working women during maternity leave. The intention of the provision is to ensure that companies will not hesitate to hire newly-wed or pregnant women.

In September 2017, SADAQA in cooperation with the Friedrich-Ebert-Stiftung released a study that described unemployment rates among Jordanian women as “horrifying”, stating that around 45 percent of women who leave the labor market do so because of the lack of adequate childcare.⁵²⁷ The following year, the same group conducted a study on public transportation in Jordan from a gender perspective. The study concluded that 47 percent of the respondents turned down job opportunities because of the inefficient system.⁵²⁸ Their challenges included the need to use more than one form of public transportation in one journey, lack of nearby bus stations and routes, and the high cost of public transportation. “Increasing women’s access to public transportation would contribute to the improvement of the country’s overall economic and social growth.”⁵²⁹

Another alliance was the Haq Coalition, which brought together civil society organizations and groups seeking Labor Law amendments to enhance women’s participation in the labor market. The coalition, launched in 2018, comprised nine women organizations as well as labor unions to lobby the MPs and policymakers to amend the labor law in order to eliminate discriminatory provisions against women and boost their participation in the labor market.

⁵²⁷ Hussein, Coalition launched to lobby MPs, gov’t on women’s rights in Labor Law 2018

⁵²⁸ Aloul, Naffa and Mansour, Gender in Public Transportation, A Perspective of Women Users of Public Transportation 2018, 5

⁵²⁹ Ibid

In 2019, the efforts of NCPE, SADAQA, HAQ and other civil society initiatives in Jordan paid off. The government made several amendments to the labor law.

They included the following articles as provided by SADAQA organization:

- Article 66 giving fathers a three-day paternity leave
- Article 72 amended to stipulate that companies with a minimum of 15 employees (regardless of their sex) with a total of at least 10 children under the age of 5 should provide a daycare or a suitable alternative childcare provision. The amendment was made more gender neutral to prevent employers from exercising hiring prejudices against women during recruitment
- Articles 53 and 54 have been amended to more explicitly address the issue of pay equity with fines for those found in violation
- Article 2 amended to include definitions of pay equity and discrimination
- Article 12 amended to allow children of Jordanian women married to non-Jordanians to work without having to obtain a work permit
- Article 2 was amended to include a definition that refers to the new flexible working hours bylaw

In 2019, the Jordanian Labor Law incorporated new articles that are more in line with the international labor standards such as the Equal Remuneration Convention and the Workers with Family Responsibilities Convention.⁵³⁰

However, the women’s groups’ demand to amend the law in order to criminalize sexual harassment at work was not successful. The existing Labor Law does not define “harassment”, whether sexual or otherwise, and although the Ministry of Labor adopted a violence and harassment prevention policy and code of conduct in

⁵³⁰ Aslan 2020

2018, there are still no clear legal provisions criminalizing workplace sexual harassment. Several MPs, mainly Islamist, objected to the proposed inclusion of the term “sexual harassment” in legislation, arguing that the provisions that were listed in the Labor Law to address such acts were sufficient.

According to Randa Naffa a long-term goal has been achieved as the public narrative encouraged by all the campaigning has altered the common perception in society which saw women as being solely responsible for the care of their children. This shifted the responsibility of the woman to her family, to the employer and finally to the government. Since childcare has now become also the government’s responsibility, it followed that childcare has now also become a joint responsibility for the state and the companies.⁵³¹

Indeed, the shift in society to support women and allow them to take up professions that, until recently, were seen as suitable only for men, is tangible and has extended to until now professions closed to women.

Women are seen now working in car wash and gas stations and as plumbers, mechanics, garbage-truck drivers, powerline workers, taxi drivers, home delivery and traffic police, among other professions. Their numbers are still small, but they prove that Jordanian women have started to assume jobs in professions that used to be exclusive to men.

⁵³¹ R. Naffa 2020

IMPACT OF THE EDUCATION SYSTEM ON WOMEN'S LIVES IN JORDAN

The education system went through different phases in Jordan and was markedly impacted by the political situation in the Kingdom and the region as well as the political or ideological agendas of the cabinet ministers appointed to run the Education Ministry.

The Ottoman Government built girls schools in the cities of Karak and Salt in 1899.⁵³² Jordanian newspaper Arab Al Yawm reported in February 2002 that Al Amirieh School, established by a woman named Zeinab, was the first private school to offer female students three years of education which was delivered as religion classes. The school expanded its premises a few years later and it was renamed as the Primary Girls' School with teachers recruited from Lebanon, Egypt and Syria.⁵³³

In the early 1920s, the number of schools offering education to girls in Jordan increased slightly but there were no textbooks available nationally so teachers prepared their own material for the different subjects. Between 1922 and 1923 there were only six schools in Jordan for girls and 19 for boys. The number of female students attending primary school during those years was 318 students compared to 2,182 boys.⁵³⁴

⁵³² Kafeety 2019, 54

⁵³³ Female Education started in the city of Salt in 1919 2002

⁵³⁴ Salti al-Tal 2014, 44-45

As mentioned earlier, the women’s movement in the 1940s contributed to the increase in numbers of educated girls and women by volunteering as teachers when the number of schools was very low. Women activists also met with families in different parts of the country to explain the importance of education for women as well as help and encourage female students to convince their peers to join schools.⁵³⁵

The number of students increased in 1945 and 1946 to reach 1,956 girls and 7,918 male students.⁵³⁶

The early 1950s witnessed heavy influence of the JCP within the education system over 60 percent of teachers at the time were leftists affiliated to the communist party. These teachers were able to spread the JCP ideologies and principles of social justice to their students. They also engaged the students in the JCP activities for example asking them to discretely distribute pamphlets that reflected the JCP’s principles and ideologies.⁵³⁷ Kafeety pointed out in his thesis: “By fostering a radical and progressive body of students, the JCP would be able to broaden its base of support through the inculcation of radical politics at a young age.”

Meanwhile, the first government school for young girls was established in Jordan in 1950 when the government took a more serious approach towards providing education to citizens in general. One of the first steps to indicate the government’s serious commitment to roll out education to all citizens was the introduction of a clause in the 1952 Constitution stipulating that primary and secondary education in Jordan were now compulsory for both boys and girls.⁵³⁸

In 1954 the Royal Education Commission was formed. More girls had been enrolling in schools as a result of the women’s movement’s awareness campaigns and calls on girls to enroll in schools.

⁵³⁵ Dababneh 2005, 139

⁵³⁶ Salti al-Tal 2014, 44-45

⁵³⁷ Kafeety 2019, 58

⁵³⁸ Salti al-Tal 2014, 44-45

Those campaigns were strengthened by the government's decision in 1954 to allow only educated women to take part in the elections.⁵³⁹ Women's activists during that time also established many rehabilitation and illiteracy elimination centers in the Kingdom, which in turn contributed to an increase in the number of educated women in the country.⁵⁴⁰

But an imbalance in girls' access to education, versus that of boys, persisted due to traditionalist attitudes towards girls' education and the prevalence of early marriage and pregnancies.

Other factors contributing to the imbalance was the lack of adequate and accessible schooling facilities for girls. Girls in rural agricultural areas were also disadvantaged with regards to education because of the heavy domestic duties they were burdened with at a very early age.⁵⁴¹ Recognizing the challenges, the government decided in the 1950s to push forward with its plans for the education system making it a priority. The focus of the effort at the time was to build and make available enough classrooms to serve the whole population and to very quickly eliminate the high illiteracy rates. In 1955, the Education Law was passed stipulating that children aged seven to 12 will have free and compulsory education.

Steps to improve the education system and delivery continued by the government and in 1963 the Ministry of Education opened the Curricular and School Textbooks Unit.⁵⁴² In 1964, a new Education Law was passed that extended compulsory education for children to ages 6-15.⁵⁴³

It was during that period that Jordan's education policy became more strategically aligned with the labor market needs and therefore geared towards meeting Jordan's new regional role as an exporter of

⁵³⁹ Dababneh 2005, 139-140

⁵⁴⁰ Ibid, 139-140

⁵⁴¹ Ibid, 135

⁵⁴² Rubai, *Women's Image in the Arabic Primary Education Curricula in Jordan* 1994, 1

⁵⁴³ Dababneh 2005, 127

technical labor to emerging markets in the oil producing countries of the Gulf region. During the 1970s, education policies became more directly linked with the government's general strategies and development plans which looked at linking the education output in Jordan with labor market needs in the region and especially the Gulf countries. This meant that the education priorities shifted towards improving quality rather than expanding the number of services.⁵⁴⁴

Civil society programs for the elimination of illiteracy among Jordanian women continued in the 70s especially with the establishment of the JWU which immediately established several committees and centers to follow up on eliminating illiteracy among women on almost a weekly basis.⁵⁴⁵ But the number of female students remained low, especially in rural areas where families preferred that their daughters left education early and prepared for marriage or supported the family in domestic duties.⁵⁴⁶

In 1972, the Women's Society to Combat Illiteracy was established with the main aim of eliminating illiteracy in the poorer rural areas in governorates as well as refugee camps populated by Palestinians who lost their homes and means of livelihood after the 1948 Arab Israeli war.⁵⁴⁷ Researchers believe that the illiteracy rate among females aged 15 and above was at 48 percent in 1979.

As tireless efforts were to eliminate illiteracy in Jordan and encourage girls to join schools in the 1970s were beginning to bear fruit, the government did an about turn and handed the Ministry of Education to the Muslim Brotherhood in what many believe was a political bargain with the influential movement. The move impacted the trajectory and content of the curriculum for many decades beyond. Between 1980 and 1985, the government introduced new education streams for boys and girls in secondary education along more traditional gender-assigned professions: courses for girls in-

⁵⁴⁴ Kawar 1997, 69

⁵⁴⁵ Dababneh 2005, 141

⁵⁴⁶ Salti al-Tal 2014, 45

⁵⁴⁷ Dababneh 2005, 141

cluded commercial courses, beauty, nursing, and tailoring. Boys were assigned commercial, industry and agriculture classes.⁵⁴⁸ In the late 1980s when Islamists became the largest block in the Lower House of Parliament, their negotiations with the government landed them control of five cabinet ministries, including education.

In the first meeting between the newly appointed Islamist Education Minister Abdullah Akaylah with his staff, he informed female employees he was opposed to them holding senior or sensitive positions at the ministry and ordered the segregation of men and women. He fired several high-ranking employees, including a woman, and appointed well-known Islamists to replace them.⁵⁴⁹ He also banned male sports teachers from working with female students and banned fathers from attending female sports activities and cultural events.

The Jordanian Teachers Union had been shut down in 1957 with the declaration of martial law, and although martial law was lifted in 1989, the teachers were not allowed to re-establish it.

The Jordanian education system lost a lot of its value during the early 1970s because of the implications of “Black September” on the country and the resultant security, political and demographic concerns. These concerns drove the state to build a strong coalition with the Islamists who had their eye on the Ministry of Education as reward for their allegiance and to serve as a launching pad for their ideology to school age boys and girls and through them to society at large. Islamists made amendments or introduced new content to the curricula that aimed to change women’s image in the 1980s and 1990s by limiting their role to that of housewives, in domestic activities in the home or praying. In some books, images of women were not included at all.⁵⁵⁰

⁵⁴⁸ Salti al-Tal 2014, 45

⁵⁴⁹ Al-Atiyat 2003, 201

⁵⁵⁰ Interview with an educationalist, who prefers not to be named, taken on 13 September 2020 by the author.

The Islamists had a big influence in the 1970s and 1980s. According to Senator and former MP Dr. Mustafa Hamarneh “their influence has become a societal and cultural issue.⁵⁵¹ Most of these values and notions (they brought) have been embraced by society and the sad thing is that they (Islamists) can mobilize people in support of this approach and if we talk about education and curricula reforms, we are immediately attacked.”⁵⁵²

Abu Elbeh, who is also an educator, believes the 1994 Wadi Araba peace treaty⁵⁵³ between Jordan and Israel, and Islamists being handed the helm of the Ministry of Education in the 1980s, were both key determining factors in the weakening of the education system that continues till today.⁵⁵⁴ Abu Elbeh strongly believes that the education in the 1950s, 1960s, and 1970s was much better than today. The school syllabuses back then were excellent, strategic and encouraged critical thinking. Abu Elbeh had studied about Karl Marx and philosophy when she was in high school and recalls that the education system was open-minded and did not reject pluralism.⁵⁵⁵ The influence of the Islamists on the education system removed much of the content that encouraged pluralism and critical thinking. “With the Islamists, the education system switched to an indoctrination method rather than encouraging critical thinking and pluralism (...) So, this resulted in what we are seeing today; people with extreme ideologies, and people who do not accept the other or respect women.”⁵⁵⁶

⁵⁵¹ Hamarneh 2021

⁵⁵² Ibid

⁵⁵³ The Jordan-Israel Peace Treaty was signed on October 26, 1994, at the southern border crossing of Wadi ‘Araba. The treaty guaranteed Jordan the restoration of its occupied land (approximately 380 square kilometers), as well as an equitable share of water from the Yarmouk and Jordan rivers. Moreover, the treaty defined Jordan’s Western borders clearly and conclusively for the first time”- according to Kinghussin.gov.jo

⁵⁵⁴ Abu Elbeh 2020

⁵⁵⁵ Ibid

⁵⁵⁶ Ibid

Hamarneh also described the education system in Jordan as a “lousy and backward system. (...) There is no critical thinking at all, and students reach universities unprepared, and from there on the universities also do not prepare or empower our students. Curriculum reforms should be the battle of the century for our government.”⁵⁵⁷

Several studies were conducted by Jordanian scholars and activists on the high school curricula and the gender bias in its content. For example, Dr. Musa Shteivi conducted a study on the gender roles in the primary school textbooks. The 1999-study, which scanned 96 out of 618 school books, pointed to a clear gender bias.⁵⁵⁸

The female's role in the public life was limited to traditionally accepted jobs including teaching, training, and clerical duties, while males are shown as leaders, politicians, professionals with noteworthy specialisms, the study showed.⁵⁵⁹ When it came to the general character of women versus men, the females were depicted as being emotional, soft, tender, gentle and taking care of the family. Males, on the other hand, were depicted as leaders, independent, strong, brave, free, creative and rational.⁵⁶⁰

Another study that was conducted by Founder and CEO of World of Letters Mayyada Abu Jaber explored the school textbooks from an economic perspective in 2014.⁵⁶¹ Abu Jaber examined the direct and hidden gender bias in school textbooks grades four to 10 and its impact on women's economic participation.⁵⁶² Some of the conclusions by Abu Jaber confirmed the findings of similar studies including:

⁵⁵⁷ Hamarneh 2021

⁵⁵⁸ Shteivi, Gender Role Stereotypes in Primary School Textbooks in Jordan 1999

⁵⁵⁹ Ibid, 54

⁵⁶⁰ Ibid, 55

⁵⁶¹ Abu Jaber, Glass Doors: Breaking through Glass Doors: A Gender Analysis of Womenomics in the Jordanian National Curriculum 2014

⁵⁶² Ibid

- Vocational work is not desirable for women, even for jobs that require skills that have been stereotyped as feminine (e.g., chefs and waiters)
- Only a few culturally acceptable and economically feasible professional and public sector jobs are assigned to women (e.g., teachers)
- It is more desirable for females to stay home
- The curriculum prepares women to enter the marriage market rather than the labor market
- Women who work outside the home will not be able to meet their family’s demands and expectations and their family responsibilities
- Women are given very little control of finances and are afforded only limited mobility
- Men are portrayed as being more entrepreneurial than women⁵⁶³

Abu Jaber cited a question posed to students, which she stated contained hidden messages that questioned the legitimacy of women leaving their homes to work. The textbook stated “Women will not be able to balance the work/home demands, and this may result in a change in their value system that leads to the destruction in their family’s cohesion. Students were then asked to “think critically of the ways in which the cohesion of the family could be restored.”⁵⁶⁴ Abu Jaber concluded that the statement carried a “hidden message” that aimed at showing that women’s work outside the house will cause a negative impact on the family’s unity.⁵⁶⁵

Dr. Wafa Al Khadra, a senior academic and gender expert, also conducted a study in the mid-2010s looking at the content and language of the school curricula with a gender lens. The study indicated a “direct intentional symbiotic analysis of girls and women in lan-

⁵⁶³ Ibid, 2

⁵⁶⁴ Ibid, 23

⁵⁶⁵ Ibid

guage and subject matters. The content of the books tried to show women as not having enough influence in Islamic history when in reality we had many leading Islamic female figures during the Prophet's (PBUH) time who were known to be powerful and wise decision-makers"⁵⁶⁶ More importantly, women standing as equal and contributing Jordanian citizens and as leaders engaged in the Kingdom's progress were absent from the school curricula. "It is a total vacuum for women when it comes to the period of the Kingdom's building and formation, although they played a very important role in the political scene, resistance and activism work." Linguistically, Al Khadra found evidence of masculine language, while the role of women was confined to stereotypical and socially-accepted professions such as the teacher or the nurse and subservient caretaking roles within the home. When it came to taking actions and decisions, men were portrayed in textbooks as the ones taking the lead and doing the creative, difficult and heroic acts. School curricula played a fundamental role in influencing the skills and habits of both girls and boys and contributed to forming attitudes and shaping their identity at a critical stage in their learning. Primary education, according to Al Khadra, is when children form their habits, convictions, beliefs, sentiments of exclusions or marginalization. "These influences can eventually reflect on how they deal with religious and ethical values in the future. A psychologist would tell you that the internalized stereotypes about people are disrupted if one is brought up in a society that views and projects women's image as submissive, marginal and excluded and then suddenly that same person sees a woman in a leading position. It defies the projected stereotype." Therefore "instead of accepting the diversity of roles for both men and women, it causes the individual to resort to violence to maintain their set of beliefs."⁵⁶⁷

A more recent study that focused on revising the primary school curricula in 2019, also by Al Khadra, showed that women's role, as depicted by school textbooks, was limited to being house-

⁵⁶⁶ Al Khadra 2020

⁵⁶⁷ Ibid

wives and mothers, in the private sphere, and to teachers and nurses, when engaging in the public domain. The study also showed the intentionality of diminishing the role of women. According to the study’s findings women were mentioned or displayed in only 10 professions that were mostly reflective of their assigned role in society, while men were portrayed in 120 professions that mainly presented them as integral actors in the building and protecting the country. According to Al Khadra, school textbooks were filled with “militarized and masculinized” quotations, verbs and action words as positive values that contributed to the development of the Kingdom and are associated with men. Females were described mostly in static verbs while action verbs were only used in reference to males. Nouns that were used to describe men were nouns of authority, for example sultan, king, prince, or nouns relating to science and knowledge, like scientist, thinker, philosopher, or inventor. For women, only five nouns were used along two categories. The first category was describing a woman’s relational positioning to a male i.e. his mother or his aunt.⁵⁶⁸ The second category related to a caretaking role, for example as a nurse, or “the caring grandmother.” The [Female] doctor was seen only once in the text books surveyed by Al Khadra.⁵⁶⁹

Senator and long-term Educationalist Haifa Najjar pointed out that because of the “mediocre” curricula, students are choosing to follow the easier pathways and adopt simpler solutions instead of being critical thinkers.⁵⁷⁰ Meanwhile, girls are essentially “imprisoned in schools for 12 years where they are taught repeatedly that they are not equal and that men are stronger. So even when they graduate with higher marks, their personalities are shaken, and they do not have a clear sense of their surroundings and how to move forward.”⁵⁷¹

⁵⁶⁸ Essaid, Sajdi and Abu Taleb 2019, 5

⁵⁶⁹ Ibid, 121

⁵⁷⁰ Najjar 2020

⁵⁷¹ Ibid

Another major concern for the education system in Jordan was the lack of kindergartens and appropriate curricula for students ages three to five years at government schools. Najjar pointed out that this is the most important stage for children because that is when their creativity and dreams evolve.

Several Royal initiatives have been introduced over the years to improve the educational system in Jordan. The most recent was the 10-year National Strategy for Human Resource Development that was introduced in 2015 upon a directive by King Abdullah.

The strategy included many recommendations to guide the upgrading of the skills of Jordanians through education and training. Key among those recommendations was delivering “equitable and quality” primary and secondary education, leading to relevant and effective learning outcomes.

EMPOWERING WOMEN WITH DISABILITIES

The Higher Council for the Rights of Persons with Disabilities (HCD) was established the year 2007.

The HCD is a public institution headed by Prince Mired Raad Zeid Al-Hussein and has a vision of being a society for people with disabilities which works to provide them with a decent and sustainable life that will facilitate their effective participation based on equity and equality. The HCD's methodology of work includes accreditation and quality control, inclusive education, independent living and access to equal opportunities. To that end, it formed a women's committee to address the rights of women with disabilities, issue relevant recommendations and to activate laws, regulations and instructions that support them.

Several shadow reports monitoring Jordan's compliance with international obligations indicated that women and girls with disabilities in Jordan "severely suffer from lack of adequate health services." Since 2010, several media reports uncovered that three quarters of annual hysterectomies in Jordan were found to have been performed on girls and women with intellectual disabilities.⁵⁷² Families defended this practice as a necessary step claiming that girls and women with intellectual disabilities cannot take care of themselves during menstruation. Further investigation through case studies, interviews and research showed that the main reason behind this discriminatory and illegal practice was to avoid social stigma and honor-related repercussions in the event of rape and pregnancy.⁵⁷³ In 2010, several

⁵⁷² The Jordanian National Coalition 2012, 7

⁵⁷³ Ibid

Jordanian physicians were quoted in an article saying that they supported such practice because they believed it “improved the quality of life of the affected women and their families.”⁵⁷⁴

However, Jordanian gynecologist and gender activist Dr. Manal Tahtamouni saw this practice as a “pure violation of human rights because we don’t have the right to decide for these girls.”⁵⁷⁵ A fatwa was issued on 1 September 2014 that banned the removal of the uterus of women with disabilities. The government also pledged to punish violators and to work on amendments to laws to protect persons with disabilities, especially women.

Meanwhile, Advisor to the President and Director of the International Relations and Cooperation at the HCD Alia Zureikat said that on a strategic level, issues of women with disabilities have been highlighted and mainstreamed within the overall disability agenda. “There are triple challenges that face women with disabilities, and they are formed from a combination of poverty, disability and gender bias. In the last 20 years, not much has changed for women with disabilities on the ground but we see that there is a glimmer of hope”, Zureikat explained.⁵⁷⁶

In 2017, Jordan passed the Law on the Rights of Persons with Disabilities Act, which included the following provisions on women:⁵⁷⁷

Article (4)

The following principles shall be taken into consideration in implementing this Law:

f. Equality between men and women with disabilities in terms of rights and duties.

⁵⁷⁴ Peter, Jordan weighs sterilization of disabled women 2010

⁵⁷⁵ Ibid

⁵⁷⁶ Zureikat 2020

⁵⁷⁷ The Rights of Persons with Disabilities Act 2017

Article (11)

The Council shall be overseen by a “Board of Trustees” of no more than (25) members including the President who will preside over the Board of Trustees provided that the remaining members will be appointed according to a decision made by the Council of Ministers upon the recommendation of the President in accordance with the following constraints:

d. In regard to candidates for Council membership stipulated in Clause (a) of this Article, it is necessary to take into consideration that they represent the different disabilities, Disabled People’s Organizations, employees, workers, women and students.

Article (24)

h. Provide reasonable accommodation and accessible formats to ensure access for women with disabilities to reproductive health programs and services that will enable them to fully benefit from them.

Article (29)

It is incumbent upon the Ministry of Social Development and the Ministry of Health, each according to its expertise, and in coordination with the Council to execute the following:

a. Include into the strategies and plans for poverty alleviation and welfare of families, children, women, the elderly, and juveniles, measures guaranteeing the inclusion of persons with disabilities into their components, activities, and programs.

Article (29) It is incumbent upon the Ministry of Social Development and the Ministry of Health, each according to its expertise, and in coordination with the Council to execute the following:

j. Provide programs on prevention and detection of violence and deliver training on the mechanism and methods of reporting on incidents of violence for persons with disabilities, including children,

women, the elderly, persons with intellectual disabilities, and persons with mental health disabilities and their families.

The 2017 law was seen as the first anti-discrimination law to be passed not only in Jordan but in the region and it was the only piece of legislation that reflected a progressive definition of violence albeit a more general definition that did not address women as a special category.

Meanwhile, Head of the Higher Education Division and Inclusive Education Department at the HCD Alaa Daqqaq’s personal goal is moving forward to supervise and facilitate access to the education process and to encourage women with disabilities to continue their education.⁵⁷⁸ But on a personal level, Daqqaq said that “the stigma surrounding people with disabilities in Jordan remains with some families, including mine. (...) Although I accept myself 100 percent, I cannot say the same for my parents who are living in denial,” she explained. “Until this day, they still refuse to say the word ‘disability’ as this word is unacceptable to them.” Daqqaq suffers from cerebral palsy spastic hemiplegia with involuntary movement.

In 2017, the Ministry of Labor implemented a project to facilitate the economic empowerment and social participation of persons with disabilities in order to integrate them into the workplace and to provide peer counseling programs. The project also focused on helping them acquire qualifications to advise their disabled peers and to adapt at work through specialized training courses delivered by experts to qualify peer counselors. The training was also rolled out to women with disabilities.⁵⁷⁹

A role model in the world of women with disabilities was a young woman who was injured at the age of 18 in a car accident and was left paralyzed and using a wheelchair. Aya Aghabi, who died in August 2019 due to long-term complications linked to her injuries, is a name that Jordanians will remember for a long time as a result of

⁵⁷⁸ Daqqaq 2020

⁵⁷⁹ The Jordanian National Commission for Women 2019, 27

her can-do spirit and her refusal to give up the fight despite all the challenges she faced after the accident. Aghabi dedicated much of her short life to advocating for accessibility in public spaces and the transportation system, running awareness campaigns and lobbying through an online platform she launched entitled “Accessible Jordan.” The platform contained a guide to all outdoor venues and parks that grant access to the disabled because she realized that people with mobility issues often cannot make plans to go out to public venues because many such venues did not provide access to the less mobile and often lacked simple solutions like ramps and elevators.⁵⁸⁰ Aghabi was active in pushing the Greater Amman Municipality (GAM) to ensure that public transport became more accessible. In July 2019, and as a result of her efforts, GAM introduced the new “Amman Bus” project as the first transport system in the country designed to provide access to persons with disabilities. Aghabi was the first person to get on the bus using her wheelchair.

Meanwhile, several athletes with special needs registered distinguished achievements at the Paralympic Games including Maha Barghouti, the first woman to win a medal for Jordan in the Paralympic Games’ history. She became the first athlete to put Jordan on the international sporting map by winning the gold medal in wheelchair table tennis. For Jordan and the sporting world, Barghouti is a legend since she took part in five Paralympic Games in Sydney 2000, Athens 2004, Beijing 2008, London 2012 and Rio 2016 before retiring in April 2017.⁵⁸¹ She was quoted as saying in a newspaper interview: “I proved I existed despite all the obstacles. People’s attitudes towards me changed from pity to seeing me as someone who can help and a champion. That’s what sports did for me, and I will be forever grateful.”⁵⁸² Before the 2000 achievement, Barghouti won a gold medal in the 1999 Pan-Arab Games and was a winner of dozens of medals in local and international championships. One of her greatest achievements was during the 1995 Berlin Special Olympics when she broke

⁵⁸⁰ Montanari, Women’s rights and disability activist Aya Aghabi passes away 2019

⁵⁸¹ Bannayan, Jordan Paralympics legend Barghouti to retire 2017

⁵⁸² Ibid

the world record in the 200-meter competition and was named Arab Athlete of the Year in 2000. She was also voted as Jordan’s top sports person of 2002. She told the audience: “I stand here tonight, though not on my feet, but by sheer determination, which has been the story of my life.” Recognizing the role her parents played in encouraging her she urged parents with disabled children to do the same. She also paid special homage to the efforts of Prince Raad bin Zeid and his relentless support to people with disabilities in Jordan. “He helped and supported us all the way. I will always be grateful for his support of our achievements and for helping raise Jordan’s flag.” When Barghouti started playing sports at the age of 11, she never imagined she would be the reason Jordan’s national anthem was played in an international forum like the Paralympics.

But as she made strides and the dream became a reality, she realized that she would end up leaving a mark that will make a difference to many like her who face challenges and have to go the extra mile to reach success. “Allow us to participate and be productive citizens with rights and responsibilities”, she pleaded. “We need the support of Jordanians and the media to help every disabled person gain confidence and show others around him/her that they are not a burden. (...) That’s part of my mission and what I hope I can help achieve moving forward.” In January 2001, King Abdullah bestowed the Al Hussein Medal of the First Order on Barghouti.

Barhgouti, who became the Jordan Paralympic Committee Secretary General in 2018, spoke about the “culture of shame” and “wrong convictions” many families have of their children with special needs. “Some families do not care to get their children involved in any activities or invest their money in building their athletic capabilities. I tell them that my win was a message to those people so that they may better understand the importance of sports for the disabled and to encourage families not to discriminate against their children. (...) They should instead support their youngsters to become involved in sports.”⁵⁸³

⁵⁸³ Ibid

THE SYRIAN REFUGEES CRISIS, ARTICLE 1325

Women Refugees

The civil war in Syria caused the largest forcibly displaced population in the world. Over six million people were internally displaced and some 5.5 million registered as refugees in neighboring countries.⁵⁸⁴

Jordan ranked the third largest hosting country for the Syrian refugees. This is not new for Jordan, since historically, the Kingdom has served as a safe haven to multiple waves of refugees, including Palestinians after the 1948 and 1967 wars and Iraqi refugees in 2003.

Since 2012, there has been a steady influx of Syrian refugees with the peak taking place in 2013. Other refugees that were resident in Jordan during that time included Sudanese, Libyan, Yemeni and Somali as well as smaller numbers of other minority refugee groups that took up residence in Jordan to escape ethnic or religious persecution in their countries of origin.

As of 4 August 2020, more than 658,756 Syrian refugees were officially registered with the United Nations High Commissioner for Refugees (UNHCR), accounting for some 10 percent of Jordan's total population.⁵⁸⁵ Officials have indicated that there is a number of non-registered refugees in Jordan. About 20 percent live in camps- mainly

⁵⁸⁴ UNHCR n.d.

⁵⁸⁵ Ibid

in Za’atari,⁵⁸⁶ which is the third-largest refugee camp in the world. The other Syrian refugee camps in Jordan are Azraq Refugee Camp⁵⁸⁷ and the Emirati Camp.⁵⁸⁸ It is estimated that around 80 percent of Syrian refugees live outside the camp setting and are primarily concentrated in the north of the Kingdom. Among the Syrian refugees in Jordan, women and girls represent around half of the refugee population. Some six percent are at risk and have applied for resettlement-though only about one percent are resettled each year.⁵⁸⁹

In this context, a study published in July 2020, and which looked at the status of Syrian women and girl refugees, identified a distinct set of struggles and vulnerabilities that are unique to this population group.⁵⁹⁰ Thirty percent of Syrian refugee households in Jordan are headed by females. According to the study, sexual and gender-based violence continues to be pervasive with intimate partner violence against women being socially accepted in the communi-

⁵⁸⁶ Located in northern Jordan, Za’atari refugee camp hosts around 80,000 Syrians who have been forced to flee the war in Syria. More than half of these refugees are children. Since 2012 the camp, divided into 12 districts, has grown from a collection of tents to a semi-permanent city. At its peak, it housed around 150,000 Syrian refugees, becoming the fourth-largest city in Jordan, according to Oxfam.com

⁵⁸⁷ Azraq Refugee Camp was opened in April 2014. The camp management is coordinated by Syrian Refugee Affairs Directorate (SRAD) and UNHCR. The camp can expand to accommodate 120,000 - 130,000 refugees. The village-based approach aims to foster a greater sense of ownership and community among residents. The camp has a coordination mechanism composed of different agencies, which include camp coordination, inter-agency community representatives’ meetings, sectors and Task Force meetings including information sessions, according to UNHCR.

⁵⁸⁸ United Arab Emirates-funded Mrajeeb al-Fhood Syrian Refugee Camp in Zarqa Governorate. The camp, which is fully serviced is located 25 kilometers away from Zarqa Free Zone on the highway to Saudi Arabia. Each family is housed in a fully serviced caravan after going through the required procedures. The refugees receive food, education, housing, health and recreational facilities as well psychological support, according to ReliefWeb.

⁵⁸⁹ UNHCR, Resettlement Factsheet for Jordan 2020

⁵⁹⁰ UN Women and United Nations Population Fund, Case Study: Jordan - Funding for Gender Equality and the Empowerment of Women and Girls in Humanitarian Programming 2020

ty in the camps. In a survey conducted by the researchers behind the study, over 46 percent of women and 69 percent of men aged 15 to 49 believed it was justifiable for a husband to physically beat his wife.

Early marriage, identified as a key issue within the refugee Syrian community earlier on, was found to be on the rise and occurring at a younger age than was the norm even in Syria before the war. Interestingly, the dire situation Syrian girls and women find themselves in as they take refuge in Jordan is not helped by the fact that Jordanian girls and women themselves faced gender-related barriers due to social norms and laws that oftentimes positioned them as second-class citizens.⁵⁹¹

The World Bank reported that women's labor force participation rates in Jordan were among the lowest in the world. The World Economic Forum (WEF) noted that Jordan's ranking in terms of women's economic opportunity has dropped from 105th to 144th in the past decade, placing it within the bottom five of the global list of countries.⁵⁹²

Humanitarian Expert Tamara Qaraïen said in an interview on 7 September 2020 that while Jordan was caught in the midst of struggling reform efforts and a stumbling economy, it had to open its labor market to Syrian refugees in the Kingdom by providing them with work permits. This not only exacerbated the already stretched natural resources in the country, especially water, but also added a strain on the Jordanian labor market where there were already problems with high unemployment rates, particularly among women.⁵⁹³

JNCW Secretary General Dr. Salma Nims also reflected on the impact of refugees on the economy in particular and women causes in general: "As a country, we had to think of ways to absorb the im-

⁵⁹¹ Gender and Adolescence: Global Evidence, Adolescent well-being in Jordan: Exploring gendered capabilities, contexts and change strategies - A synthesis report on GAGE Jordan baseline findings 2019

⁵⁹² Ibid

⁵⁹³ Qaraïen 2020

pact of the refugees without shaking our economy, so the women lost any chance of becoming the priority of the regime and the system. We become an add-on issue. (...) Women’s issues always fall behind when the government feels there is a threat to stability or the economy.”⁵⁹⁴

It is estimated that the real unemployment rate is twice that of the officially reported rate of 15 percent.⁵⁹⁵ Furthermore, and despite assistance from the international community, approximately 85 percent of the Syrian refugees live below the Jordanian poverty line, according to UNHCR figures.

Meanwhile, the issues of sexual assault, domestic violence and early marriages among Syrian refugee women and girls were quickly becoming major concerns for both the women’s movement and the donor community. Several organizations working in the refugee camps documented dozens of cases of violence against women as well as child brides, and hidden prostitution, according to local organizations. The organizations claim, there were many rape cases of Syrian women refugees which were not reported for fear that prevalent conservative cultural norms and traditions may lead to the women being killed for being perceived as bringing shame to the family.

In addition, financial constraints on Syrian families who left most of their belongings behind in Syria, has led some to marry off their young daughters in return for shelter, dowry or to provide them with a better standard of living.⁵⁹⁶

The Jordanian PSL, which governs marriages among refugees as well, facilitates early marriage because of the list of exceptions that allow families to marry their daughter off at the early age of 15 years if such a marriage is approved by a judge.⁵⁹⁷

⁵⁹⁴ Nims 2020

⁵⁹⁵ Gender and Adolescence: Global Evidence 2019

⁵⁹⁶ Women’s Rights in Jordan Report 2013, 8

⁵⁹⁷ Ibid

Despite various efforts by the international community to ensure a “one-refugee approach,” refugees from other countries—such as Yemenis, Sudanese, Somalis and others, have not been receiving a similar level of assistance as the Syrian refugees from international donors.⁵⁹⁸

Also, despite concerted efforts by the government and international donors to provide assistance to the Jordanian “host communities”, disgruntlement and concern among Jordanians over the perceived burden of hosting Syrian refugees was evident. As a result the refugees continued to face challenges with racism, harassment and unintended marginalization from other refugees, migrant laborers whom they were replacing in some labor sectors and host communities.⁵⁹⁹

Despite the support of both the government and international donors, there remained evidence that young Syrian female refugees are not faring well.

Tamara Qaraien has visited a large number of households, tents, shelters, and informal settlements, in Jordan during her work with the European Civil Protection and Humanitarian Aid Operations in Jordan. According to what she witnessed the number of 14- and 15-year-old girls who have been either forced into child labor, deprived of education and even forcibly married and then divorced multiple times in order to multiply the financial benefits is dismaying. “What can a 14-year-old divorced girl do as a refugee? Looking at this problem doesn’t even begin to scratch the surface if we are talking about undocumented children. (...) When your caregivers, the ones who are supposed to protect you and care for you, are forcing you to get married while you are still a little girl and then forcing you again to get divorced when the deal is no longer profitable. How traumatizing is that?”⁶⁰⁰ The humanitarian expert pointed out that women’s vulnerability is multiplied when it comes to women living

⁵⁹⁸ Qaraien 2020

⁵⁹⁹ Ibid

⁶⁰⁰ Ibid

under conflict including in the refugee context. She referred to a visit to a household in Za’atari camp where a mother had four children with disabilities. All of them had genetic problems but still, this didn’t deter the mother from wanting to have more children. “I was curious and so I asked why. The answer was: ‘there is a saying that goes ‘With each child comes its livelihood’ ... God will provide us with the necessary means.’ (...) While I admired her faith, I couldn’t hide my concern as she was already struggling to make ends meet as is.”⁶⁰¹

UN Security Council Resolution 1325

Jordanian women started to enroll in the Armed Forces in early 1950s. Their duties back then were to teach at military schools and their numbers remained low until 1962 when the Princess Muna College of Nursing was established. The first batch of cadets graduated in 1965 as second lieutenants and served in the Royal Medical Corps.

The Jordanian women police department was established in 1972⁶⁰² and in October of that year, a Royal decree was issued to establish the Princess Basma Institute for Training Policewomen. Six women joined the first training course and the numbers jumped to 72 by 1975. The new recruits would receive training in legal issues relevant to their work and basic police training to prepare them to support border and airport controls to search female passengers.⁶⁰³ But through the years, the armed forces and police departments expanded and the scope of work for females widened and increased, leading to larger intake of women to the military, police and other security agencies.

In 1995, the Department of Military Women’s Affairs was created and tasked with working with female recruits to improve their skills and assign them more tasks.

⁶⁰¹ Ibid

⁶⁰² n.d. Historical Preface

⁶⁰³ Jordan Armed Forces, 81

Jordan has a long history of providing security expertise to other countries in the region and peacekeeping personnel internationally and has been a key actor in the Middle East peace process. This role has called for including women in multiple roles within the peace processes, peacebuilding and peacekeeping missions with a vision that their participation can make conflict resolution more effective and peace more durable. Among other skills, Jordanian peacekeepers were trained on preventing sexual and gender-based violence in conflict. They are also skilled in dealing with all forms of conflict-related violence against women in Jordan and in peacekeeping missions.

The Kingdom officially adopted UN Resolution 1325 in the year 2000. It took many years, however, till the Jordanian National Action Plan for the Implementation of UN Security Council resolution 1325 on Women, Peace and Security was finally launched for implementation in the years 2018 – 2021. JONAP, as it came to be known, aims to integrate a gender-based approach towards women’s participation in the prevention and protection processes during conflicts, as well as in peace building, and maintaining stability and sustainable security.

The planning for the JONAP involved all security branches in the country in cooperation with the JNCW. Jordan Armed Forces 2006, 1

The process in Jordan mirrored the pathway of the resolution globally:

- 2000: UN Security Council adopts resolution 1325 on women, peace and security
- 2010: UN General-Secretary proposes a strategic framework for the implementation of the resolution and a national action plan for the implementation of UNSCR in Jordan
- 2012: League of Arab States releases a regional strategy: Protection of Arab Women: Peace and Security- also the first draft of the NAP in Jordan is completed

- 2015: Government of Jordan commits to accelerate the adoption of a NAP and, in Jordan, NAP development process is renewed and revamped
- 2016: Finalizing local and national dialogues and identifying key priorities for the JONAP
- December 2016: Jordan adopts a national action plan for the implementation of UNSCR 1325 and subsequent resolutions⁶⁰⁴

One of the strategic objectives of the JONAP is to activate the role of women in confronting extremism and recommend ways to deal with responses to national efforts to prevent and counter extremism. It also aimed to ensure women’s active participation in the prevention of extremism and violence and the building of national and regional peace.⁶⁰⁵

Another aim for Jordan was to strengthen the Kingdom's role as a global provider of expertise in peace and security as well as strengthen its internal structures, policies and responses to the Syria crisis. So far, around 15 percent of the Jordan Armed Forces’ female soldiers have taken part in peace operation, including in the UN Congo mission and in Western Sahara.⁶⁰⁶

An additional 254 women were involved in special humanitarian tasks and many female officers have been involved in courses outside Jordan on the concept of gender. Meanwhile, around 100 female police officers have also taken part in peacekeeping missions since 2007.⁶⁰⁷

An additional 28 public security female staff have been recruited to participate in peacekeeping missions in Darfur and South Sudan. Three of the female officers with high ranks (colonel & major)

⁶⁰⁴ A National Dialogue on UNSCR 1325 Women, Peace, and Security in Jordan: A Resolution in Action 2016

⁶⁰⁵ The Jordanian National Commission for Women 2019, 9

⁶⁰⁶ *Ibid*, 54

⁶⁰⁷ JAF and UN Women Foster Gender - Responsive Security Sector Services 2020

occupied the position of Force Commander. In 2017 the Jordan Armed Forces introduced an executive action plan for women's empowerment including raising the percentage of females in the field to 3 percent. The army also conducted several gender audits of its HR and administration processes in order to align their service to best practice. The findings led to amendments including the introduction of a two-day paternity leave and breastfeeding hour, as well as updating and sustaining the code of conduct for new recruits.⁶⁰⁸ By the beginning of 2020, Jordan Armed Forces increased the number of women participating in peacekeeping missions to 12 percent.⁶⁰⁹

⁶⁰⁸ Ibid, 54

⁶⁰⁹ UN Women 2020

LESSONS LEARNED

The volume of activities over the previous decades contributed to the successes, failures, social mobilization, regression, campaigns, awareness raising, disappointments and changes of laws. It is worth taking a step back to reflect on the events of the past 80 years and evaluate the lessons learned and what could have been done better.

This critical assessment will hopefully work to set new goals and priorities that would guide the future generation and help them move forward with well-organized strategies and plans.

It was obvious that progress towards women's empowerment and gender equality has been very slow. Some issues that were fundamentally linked to human rights took or will take longer to achieve. The efforts and resources invested in working towards women's empowerment and gender equality did not reap the same scale of responding results.

The patriarchal system was one of the main factors that kept rolling women's achievements backward. Women's roles and responsibilities within the household remained unchanged because men rarely support their wives with actual house chores.

On some occasions, the resistance and hurdles in the pathway to advancing women's rights actually come from the women themselves. There was a number of women in Jordan who were against the reformation of laws discriminating against women and they were very vocal about it. This fact opened the door for individuals and entities who are against women's advancement in Jordan to use it against the women's movement. There was another camp of women who was unaware of their subordination, and that's why they did not

engage in the fight for change. In fact, they reinforced the traditional picture of women because they were brought up to admire the social system that values men and subordinates women.

In addition, many women’s organizations were constantly undermined and attacked by stakeholders that questioned their motives and accused them of succumbing to Western influence. The movement was targeted by multiple political players, including the ‘deep state’, Islamists and traditionalists, who, collectively and individually, or purposely sought to limit its influence and block its attempts at unity.

On the other hand, women groups were in constant need to prove their credentials and compete over funding to survive and on many occasions, they had to shift their priorities based on the available funding.

The women’s movement should consider revising its methods with regards to foreign funding. The funding and activities should be benefitting the masses and not just individuals in civil society who are applying programs or projects.

In some cases, women’s groups, civil society organizations or coalitions were racing to attribute achievements to themselves and marginalize the efforts of others, while competing for foreign funding and official recognition. If women groups continue to compete in this way, they will never be able to work together. Their impact on women’s rights or lives will remain marginal. History has shown us that any breakthrough in the women’s rights space was the result of long and sustained collective effort and advocacy over many years and by multiple organizations, individuals or groups.

Perhaps the approach to promote gender equality and women’s empowerment should adopt a more diverse strategy.

In the past, some issues fell short and remained largely immature because the priority was given to legislative reforms with less or no emphasis on the implementation side. If we want to guarantee tangible change, we need to see and monitor implementation me-

chanisms within the government. We need to intensify lobbying for budgets and training of civil servants to get more tangible and sustainable results.

Some legal amendments that took place in the past 20 years were disappointing and frustrating. Some of the demands by the women's movement were totally dismissed such as amending the Jordanian Nationality Law to allow Jordanian women married to non-Jordanian men to pass their citizenship to their children or husbands. State institutions failed to abolish the provision that allows the right for families to waive their personal claim in cases of crimes or offenses that occurs within the family. This provision that still exists in the Jordanian Penal Code basically allows perpetrators to spend only half the prison term, and in some instances are set free if a general amnesty was issued that included their crime or misdemeanor.

In addition, despite the many legal changes in Jordan in favor of women, many of those laws were left with "loopholes". The government often introduces new or amended bills that propose improvements in the legal status and rights of women, but some are never implemented due to successful lobbying of those who oppose change. There are cases where lack of allocated budget to implement these new laws and adopted amendments mean that they stay inactive and unimplemented. In other cases, a law or legislative amendment is adopted by the Parliament but requires regulations from the government to outline the implementation process as was the case in the Family Protection Law. The regulations are never introduced, and the new or revised laws effectively remain forgotten in the drawers of government offices. That is why the women's movements need to stay vigilant and to follow up on the implementation of new laws and regulations.

However, political will played a major factor in achieving many ground-breaking changes and achievements. Jordanians had been afraid to discuss politics publicly because of security concerns. But with the return of Parliamentary life in Jordan, women had come to find it necessary to be involved in politics, mostly the remit of men, and incorporating political issues into their daily lives. Appointing

women in the municipalities in the mid-1990s, for example, helped break many social barriers that used to reject women's political participation. Another important measure of political will was the introduction of the women's quota in 2003. This step represents one good illustration of a transformative decision at the political decision-making level. The success can be measured by the gradual increase of the number of female deputies over the years who won their seats in direct competition after the public started gaining confidence in the ability of female deputies to represent their constituencies. The quota system played a major role in increasing the number of women running for elections since it was first introduced. The increasing number of women in the Parliament and the bold and persistent stands adopted by some of them encouraged others to become more involved in politics. Unfortunately the results of the last parliamentary election in November 2020 illustrated how gains can be lost again. No single woman won outside the quota this time implying that a higher women's quota is urgently needed, if we want to see more female MPs.

Turning to education, government officials and educational institutes realized the need for new and innovative educational initiatives that target the stereotyping of women in the curriculum. Some parts of the curriculum contained images and subjects that were accompanied with extremist philosophies as well as discriminatory and stereotypical concepts. Women are mostly depicted as housewives, teachers or performing prayers or other religious rituals. While men are shown as the leaders, decision-makers, professionals and other images that glorify their roles in the society and the world. For the longest time, school curricula were based on feeding information to students and limiting them to memorizing the information rather than think in a critical and innovative manner. These concepts and ideas were fed to our children over many decades, and have systematically reflected negatively on society's beliefs and values in life.

Finally, the women's movement must find a way to "re-politicize its agenda" to achieve strategic rights for women most notably constitutional equality and full citizenship rights without muddling those in family values and religious interpretations.

WHAT'S NEXT ?

This book project has been an enlightening journey for me. I got the chance to meet dozens of activists, experts, academics and officials, each sharing his/her story and experience to spread knowledge and benefit the generations to come.

The following recommendations are based on the various interviewees' feedback and my own observations during my involvement in the activist's scene in Jordan for over 25 years:

To women activists:

- Unite! Find common ground with other activists, coordinate, work together, form alliances on specific advocacy goals.
- Try to create a strong, cross-sectional women's movement that reflects a collective will and a collective recognition that the role of women must change.
- Be knowledgeable in legal and religious aspects so you can confront false claims.
- Watch over the implementation of new laws and regulations in various courts and government entities and press for implementation in a proper and fair manner.
- Lobby decision-makers and legislators to introduce a new Penal Code that does not discriminate against women.
- Lobby decision-makers to abolish or at least reduce discrimination within the Personal Status Law.
- If your understanding is, that Personal Status issues should remain within the jurisdiction of religious courts, look out for

better examples. Search for ways to apply Sharia Law in other Muslim countries, that give more rights to women. Lobby for reforming the Jordanian Personal Status Law accordingly.

- Support women running for municipal and Parliamentary elections by connecting them with previous women who ran for such posts to gain knowledge and build on their experiences. Empower women candidates with the necessary campaign knowledge. Prepare them to deal with the media and with cyberbullying.
- Empower women and girls with disabilities by offering them employment or voluntary work.
- Be consistent. Ensure that your causes are constantly addressed even when there is no external funding. Don’t allow donor money to distract your focus.
- Incorporate more young Jordanians into the movement and empower them to be active for change.
- Exert more efforts in reaching out to women in rural areas and implement more projects and activities there. Many women in various governorates complain that the activism work is mostly focused in the capital.

To relevant state institutions:

- Introduce legislation and procedures that safe-guard women’s well-being and assure their implementation.
- Create a unified and open access national data system that includes information on all matters related to violence, early marriage, women’s employment...etc. Reach out to the women’s movement to include their knowledge during the development of the data base.
- Adopt stricter measures to protect women from serious threats and attacks by providing more shelters, introducing campaigns that tackle domestic violence and enforcing certain laws such as the Family Protection Law that until this day remains ink on paper

- Cancel the legal option for the relatives of victims to waive personal claims in cases of violence against women and girls.
- Initiate or at least enable and protect an open public debate about the elimination of legal discrimination against women.
- Introduce a set of laws that would penalize individuals and entities which discriminate against women in any set or form. Be open to suggestions from the civil society.
- Improve equality. One example is including the word “sex” into Article 6 of the Constitution.
- Grant the full right to all Jordanian women to pass on their citizenship to their children and spouses or – if not possible for political reasons - abolish the right of Jordanian men to do so.
- Improve access to childcare and public transport services to ease women’s participation in the labor market.
- Abolish or at least limit the use of exceptions in cases of child marriage.
- Work to ensure the use of a gender-balanced language in various government correspondence and in other relevant publications such as legislation, the media and school textbooks.
- Overhaul the education system to include positive and more progressive content on women and human rights issues and to strip all curricula of discriminating content. Empower the thousands of teachers who, for the past 40 years, have been fed the same weak education system. These teachers need to be enrolled in training courses that provide them with the necessary skills and knowledge to be more open and accepting of new ideas and ideologies.

As a continuation to the courageous, determined, and strong women who have carved the way for us to reach what we have achieved so far, we should aspire for further achievements and a better Jordan.

There is still much more to be done in terms of legislation and women’s empowerment in all fields. It is important for the women’s movement to constantly address issues related to women in Jordan in a systematic and constant manner, and not to rely only on the donors’ agendas. There are issues such as GBV that needs constant work to raise awareness and inform the public about the available services for GBV survivors.

But I believe that education is the base. If the education system is revamped and reformed to include content that empowers women and erases all stereotyping, then we are on the right track to start to take women and girls in Jordan to a different level for generations to come.

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About the Author

Rana Hussein is a human rights' activist and the author of the book "Murder in the Name of Honor". She is also a senior reporter at The Jordan Times.

Hussein focused on social issues for over 25 years with a special emphasis on violence against women, as well as the brutal crimes that are committed against Jordanian women in the name of family honor.

Her coverage of, and dedication to, ending this unjustified practice against women helped raise national awareness on a topic that is traditionally considered taboo. The government responded by introducing legal and judicial changes that suggest tougher punishments for perpetrators of such crimes as well as introducing new services to help abused women and children.

In 2009, Hussein finished writing her book on so-called honor crimes in the world, with special emphasis on Jordan. Her book, which was translated to English, Arabic, Dutch, and Finnish, focused on providing people with a credible source based on real-life experiences and tackling a sensitive issue which is often susceptible to misconception.

Hussein has earned 10 local and international awards, including a medal from HM King Abdullah II in 2007, the Reebok Human Rights Award in 1998 for reporting on such crimes and The London Arabia Organization Arab Woman of the Year Award in 2019 for social impact.

Hussein is currently serving on several boards including the Advisory Board of Equality Now Organization that is based in the United States, and the Jordanian National Committee for Demining and Rehabilitation. She is also a founding member of a newly-established women's group in Jordan that is called Jordanian Feminist Action, a collective of Jordanian women activists.



The women's movement in Jordan launched itself in the early 40s, within an influential patriarchal context that excluded women from the public space and saw their role as homemakers and caregivers for their families. For 30 years, the women's movement, which relied on strong regional political alliances, had only few opportunities to grow at home under strict martial law rules. Eventually, the movement regained its momentum and pushed forward with efforts to guarantee Jordanian women equal rights and civic status. It also articulated and delivered the movement's position on critical national and regional political issues.

The movement continued to battle with the government and other conservative and equality-shy stakeholders in society including religious institutions. It can be credited with success in achieving impressive legislative gains for women despite also being influenced by political divisions that ultimately led to disunity among the movement's ranks.

The women's rights journey in Jordan showcases how activism and persistence can lead to tangible gains. It also shows that the Hashemite Regime awarded women historical gains to highlight its own commitment to the advancement of women's rights.

This book illustrates the journey to triumphs, gains and breakthroughs as well as the losses and continued challenges. It also provides a glimpse of hope for future generations of women in Jordan that their full and equal rights status will eventually be achieved.

RANA HUSSEINI