Public Arguments Concerning Women's Citizenship Rights in Jordan

Saadiah Naimat-Brennan

University of Mississippi. Sally McDonnell Barksdale Honors College

Follow this and additional works at: https://egrove.olemiss.edu/hon_thesis

Part of the History Commons

Recommended Citation
https://egrove.olemiss.edu/hon_thesis/812
Public Arguments Concerning Women’s Citizenship Rights in Jordan

Student Name: Saadiah Naimat-Brennan

Adviser: Dr. Vivian Ibrahim
Second Reader: Dr. William C. Schenck
Third Reader: Dr. Nicolas Trepanier
ABSTRACT

While Jordanian women can be ministers, congresswomen, Parliament representatives, ambassador, doctor, or lawyers, and the literacy rate for females is more than 92 percent, women are still not treated as full citizens. In 2012, Jordanian women, as most of the women in the Arab world, started publicly demanding their right to grant citizenship to their children from foreign fathers. The movement started with voice of those mothers during the Arab spring, but as of 2014 the government still resists providing equality to women. Interviews of more than a hundred people who either support, oppose, or are sympathetic to the women’s rights in this case provide the full argument on the woman’s right to grant citizenship in one paper for the first time. Namah Habashnah, the founder of the first campaign for “my mother is Jordanian and her citizenship is my right” continues her battle to grant equality. The Opposition considers the women’s demand as a threat to the nation’s security and sovereignty, claiming that any change in the Nationality law will allow refugees in Jordan to obtain citizenship. The Supporters with reservation agree with the opposition’s concerns, but they believe that these children and their mothers need solutions to live in Jordan without being treated merely as residents. The opposition and the supporters with reservations would be right if they also argued that the Jordanian father should not be allowed to grant citizenship to his foreign wife and children, if the attraction of non-Jordanians would threaten the nation security and sovereignty. In addition, the Opposition’s primary claim is a straw-man argument, because women’s movement is not demanding citizenship for non-Jordanian or refugees in Jordan but rather demanding equality for women in the particular case of Jordanian citizens granting citizenship to non-Jordanian spouses and their children. The conclusion based on this research is that the Opposition, rather than basing their arguments on national security or sovereignty, is fighting to keep the traditional patriarchal social structure, and make any female's accomplishment just a privilege, not a right.
Public Arguments Concerning Women's Citizenship Rights in Jordan

By
Saadiah Naimat-Brennan

A thesis submitted to the faculty of The University of Mississippi in partial fulfillment of the requirements of the Sally McDonnell Barksdale Honors College.

Oxford
May 2014

Approved by
Advisor: Professor Vivian Ibrahim

Reader: Professor William C. Schenck

Reader: Professor Nicolas Trepanier
Acknowledgment

Croftie friends and family, you have helped me re-live my 20s all over again in my 40s. Dr. Nicolas Trepanier, thank you for being my third reader, for your support and encouragement and suffering through all of my writing. Julie Magee, Amer H Tarwneah, and Conor Whitmore, without your support, motivation, and encouragement, my academic career would have never witnessed achievement.

Amer H Tarwneah, you made Oxford a family town for me. Thank You! Dr. Vivian Ibrahim, thank you for teaching me how to write, see, and speak in a western way, and for being there in the toughest moments of my life. Thank you for lying to me when you told me that I could write a thesis in English and it would be great. I believed it. To my brothers and sisters, I am so proud to be your sibling, your support and encouragement – overseas- made my ship sale. To my husband, best friend and Hayati Scott Brennan, for believing in me, loving me, and trusting me unconditionally. “Thank you” means nothing compared to how I feel, my Hamddellah. You gave me a new life, new name, and new country, you are my home.
| Contents |
|----------|-------|
| Acknowledgement | 2     |
| Abbreviation | 4     |
| Chapter 1. Introduction | 5     |
| Chapter 2. Context | 10    |
| Chapter 3. The Movement | 13    |
| 3.1. Issues facing the supporters of the | 13    |
| 3.2. Organization of the movement | 16    |
| 3.3. Legal claims of the movement | 19    |
| 3.4. Analysis | 20    |
| Chapter 4. OTWM (The Opposition to the Women’s Movement) | 23    |
| 4.1. Introduction | 23    |
| 4.2. Jordan’s situation | 24    |
| 4.3. Arguments of the OTWM | 26    |
| 4.5. Analysis | 33    |
| Chapter 5. SWR (Supporters with Reservations) | 39    |
| 5.1. Introduction | 39    |
| 5.2. Analysis | 45    |
| Chapter 6. Conclusion | 50    |
| Bibliography | 59    |
Abbreviations

CTNJF ....................... Children to non-Jordanian Fathers
DOIF .......................... Department of inspection and follow-up
                               A department specialized in any Palestinian
documents, issues and paper in Jordan
MSWR ......................... Movement support with reservations
NJCOJM ........................ non-Jordanian child to a Jordanian mother
NJF ............................. Non-Jordanian Fathers
OTWM .......................... Oppositions to the Movement
RTGCS .......................... Right to grant citizenship
WRTGC .......................... Women’s Right to Grant Citizenship

All of the translations in this thesis, including transliterations, from Arabic to English,
were completed entirely by myself, Saadiah Brennan.
INTRODUCTION

Many Arab countries continue to deny women the right to grant citizenship to their children and husbands. With the exception of Tunisia, Egypt, and most recently Morocco; Arab women who are married to foreign husbands in the MENA region (Middle East & North Africa) are still struggling with the RTGC (right to give citizenship) to their children. On the other hand, a man can grant citizenship to his foreign wife. In Jordan, which will be used as a case study for this issue, a man can grant citizenship to his foreign wife after three years of marriage if she is Arab, and five years if the wife is not Arab; furthermore, the children of a male citizen are granted citizenship at birth. The constitution in Jordan states that “all Jordanians are equal before the law, there is no discrimination between citizens with regard to their rights and obligations on the grounds of race, language, or religion, according to the Jordanian constitution, article 6 No. 1.1 This is in contrast with the Jordanian Nationality Act No. 6 of 1954, which contains general provisions relating to the right to nationality, and says only a man can grant citizenship to his foreign wife and his children, while a woman cannot pass naturalization right to her foreign husband or to her children from a foreign father; so Jordanian citizen men and women do not stand equal before the law.

---

For the purpose of understanding the Jordanian Nationality Act, it is necessary to explain certain terms. (Table 1)

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreign (Ajannb)</td>
<td>every person who is not Jordanian and non-Arab</td>
</tr>
<tr>
<td>Arab</td>
<td>anyone from nations of Arab origin or one of the Arab League countries</td>
</tr>
<tr>
<td>Expatriate</td>
<td>every non-Jordanian of Arab origin, born or living in Jordan</td>
</tr>
</tbody>
</table>
| Jordanian citizen     | anyone born to a father of Jordanian nationality  
                        all members of the northern nomadic tribes referred to in paragraph (j) of article 25 of the Provisional Electoral Act No. 24 of 1960  
                        anyone who resided in the territory of the Kingdom in 1930 (This means anyone who belongs to what was known as Trans Jordan)  
                        a person who received Jordanian nationality and/or a passport under the Jordanian Act of 1928, as amended by Act No. 6 of 1954,  
                        according to the Jordanian Nationality Act 1954, article 2  
                        any person who had Palestinian nationality prior to 15 May 1948, and who was also a resident of Jordan during the period between 20 December 1949 to 16 February 1954  
                        anyone born in Jordan to a mother holding Jordanian citizenship whose father’s citizenship or nationality is unknown, or  
                        anyone born in Jordan who has no proven father  
                        anyone born in Jordan to unknown parents |

According to the citizen rights and duties in Jordan, citizenship can be defined

---

2 The Ministry of the Interior, Legal Department, laws and seeing off – Jordanian nationality law.
as a legal political association linking someone to a state which makes it one of its citizens; or a legal association as they arrange the person’s rights and duties regulated by the State’s laws, acts, and constitution. So, the Jordanian citizenship law is not denying women’s rights, but it is considering other aspects to be more important for the time being. As it can be seen, the law gives citizenship to a child from a Jordanian mother if his father is unknown. Moreover, anyone born in Jordan to unknown parents is a foundling and is considered Jordanian, unless the contrary is proved. Again, the women are not specifically targeted to be discriminated against, but discrimination is a consequence of the nationality law.

As a result of the Nationality Act, a Jordanian male has the RTGCS to his foreign wife and his children, while emigrants and/or refugees from Palestine, Lebanon, Iraq, or recently Syria, or from certain other countries, who have lived in Jordan after 16 February 1954 have no right to obtain Jordanian Nationality or citizenship. This means the Jordanian Nationality Act promotes the inequality of citizens, and disrespect for human rights; it retains and preserves a form of discrimination on the basis of gender by not treating males and females equally in the eyes of law. The discrimination in the Jordanian law affects women’s equality and their rights because it denies their children and husbands the services that the government provides citizens.

To understand how Jordanian law discriminates against women’s equality and rights, the benefits of citizenship must be explained. Certain public services and benefits such as education, medical services, federal jobs, military service and jobs, official positions, freedom of the press and publications will be granted within the
limits of the law, freedom to express opinions in writing, by speech, or by photographic means within the limits of the law and the right to establish societies and/or political parties as long as their resources are regulated by law. These are included as examples, not an exhaustive list; many other benefits are exclusive to citizens. Furthermore, the following issues mainly concern women who have non-citizen children: property ownership, small businesses or investments in the country. Residency in the country for non-citizens must be renewed every year (unless the resident is a foreign spouse to a Jordanian man then they can have a 5 year residency). Residency fees in Jordan are about $200 per person. Any official ID for a resident cannot be valid for more than one year; for example a driving license for a citizen would be valid for ten years, while for a resident it would only be valid for one year. In addition there is an extra expense to renew a driving license of $30 every year.

Some other problems that women in Jordan face, when their non-citizen children are being treated as residents, are that their children can only attend private schools because they are not allow to enroll in public schools. Then, when their children graduate high school, they cannot compete with citizen students to enter public universities. Non-citizen children are denied public health services and facilities that are available for citizens; the private health sector is the only choice available to non-citizens, which is very expensive. A Jordanian woman cannot grant her children the ability to live in her country equal to her nephews and nieces. In terms of job opportunities, her foreign children and/or husband cannot have the honor

---

of serving in the military, or voting in official elections; they cannot participate in political parties or worker’s unions. Jordan was one of very few Arab countries to allow noncitizens and residents to own properties in the country. Recently, however, the law has been changed to reduce the amount of property owned by non-Jordanians to be only one property or house, this property has to be owned for at least three years before selling it and it cannot be sold to a non-Jordanian.4 A resident cannot own a business unless s/he becomes an investor, and for this the business has to be worth at least one hundred thousand dollars to be legally accepted. In this case the amended Act includes the non-Jordanian children to a Jordanian mother; as mentioned earlier they are living as residents.

This is just a brief introduction to the many ways that women are not treated equally in Jordan because of the Nationality Law, and the Constitution; this will be discussed with actual examples in later chapter in this thesis. This will relate to the discussion of the arguments of the women’s movement which demands the right for women to grant citizenship to their children and foreign husbands. This thesis describes how Jordanian women strive for equality with men to ensure the right of naturalization for her children under the law—a right that exists already for men. It discusses how an opposition has risen up against the women’s movement, arguing that its demands are harmful to the nation socially, economically and politically. The thesis analyzes the three views on the women’s right to grant citizenship, which are the movement, the opposition, and the view which supports some of the ideas of the movement but shares the concerns of the opposition. Based on a comprehensive

4 The seeing off Jordan, national information system, the "law on leasing movable and others sold to non-Jordanians and corporations 2002, 4 كانون ارل 2006 " according to Rental Property and corporate # 47 that amended in 2006.
analysis of the different viewpoints on the issue, the thesis then illustrates how the root of the argument of the opposition is a stubborn adherence to Jordan’s traditional masculine-dominated, patriarchal social structure. It is not, as they claim a question of economic, demographic, and political threats.
CHAPTER 2

CONTEXT

Nationality and citizenship have been main human rights concerns in some major international organizations, especially in the UN (United Nations), that work to influence countries’ policies with the goal of obtaining the right of citizenship for every person. This prompted scholars, human-rights activists, legal experts and organizations, and journalists to do lots of studies and analyses of the issue. This has resulted in many writings about human rights and equality among different people; especially between males and females in their right to citizenship. There are people still actively working with local and international organizations to force their countries to adjust their citizenship laws and implement equal rights for both males and females. Some UN member countries still do not grant the right of citizenship to subjects living and/or born on their soil; these subjects are still being discriminated against by these countries’ laws and regulations. Jordan is one of those countries who are ignoring the rights granted to such people in its constitutions and laws until today, Dec 4th, 2013. Jordan is denying citizenship rights to expatriates, residents, and children from citizen mothers and foreign fathers. As a result, Jordanian society has produced three main perspectives. One became a movement to support the women’s RTGCS to their children and husbands; another is in opposition to this movement. There is a third perspective that is sympathetic to the women’s suffering as a consequence of the law and is concerned with its contradiction with the constitution which states “that all Jordanians are equal in the eye of law,” but yet has reservations regarding implementation of a solution to this issue. Through intensive
reading, I found that the activists for women’s rights focused on the lack of individual rights, lack of benefits, and the individual suffering that are caused by the inability to have citizenship for the children and non-Jordanian husband to a Jordanian female. These activists depend on international agreements and International organizations’ recommendations to grant equality. On the other hand, the oppositions are warning of the consequences, based on the situation in Jordan, of granting Jordanian women’s equality in terms of RTGCS to their non-Jordanian husbands and/or their children from those husbands. They are claiming that the security and sovereignty of the country and the people from Trans Jordan are more important to protect than women’s equality. The way they explain their view is that any changes in the law, or a constitutional amendment, would negatively affect the economic, demographic, and political balance. If Jordan were to grant citizenship to all children and spouses of Jordanian citizens, they would equal approximately one-seventh of the population.

Those who oppose the movement are concerned that by integrating this many new citizens into the political system, and granting them full civil and political rights, that the new citizens would be able to impose new policies that would not be favorable for the country. They fear the introduction of the ideologies of organizations such as Hamas, Hezbollah, and the Syrian regime. This is what the opposition sees as a real threat to the country’s security, stability, especially when considering that the majority of the Jordanian women who would benefit from changing the law are married to men from Palestine, Lebanon, and Syria.

When I started this research I was convinced of the opposition’s opinion, but at the same time I had sympathy for the women’s rights and equality. As I continued
the research, I discovered that there was a whole group of people with the same ideas regarding the women’s rights movement. Although these people see the suffering caused by the inequality for women when it comes to the right to grant citizenship to their spouses and children, they also are concerned with the arguments of the opposition regarding the threat any changes in the nationality law would present to Jordan. The supporters-with-reservations, as this group is termed in the thesis, have tried to come up with solutions that address the women’s concerns without the possibility of causing harm to the country.

The women’s rights activists (called “the movement” throughout the thesis), the movement’s opposition, and the movement’s supporters-with-reservations expressed their point views through media, social organizations and individual opinions. In the following chapter, each group’s view will be presented through public figures’, political activists’, and journalists’ opinions. These are the people who have elevated the movement to its current status in Jordan, and make it a public controversial issue. This thesis presents the opposition’s response to the movement’s activist’s and supporters’ ideas of women’s rights equality and women’s RTGC. Next, it presents the position of the supporters-with reservations. Although they agree with many of the arguments of the women’s movement, they also have reservations due to the consequences that the opposition fears and are warning the nation’s officials from rushing into imprudent actions which would lead the country into a black hole legally, socially, and politically. Finally it analyzes all the viewpoints and draws a conclusion on the actual motivation of the opposition in refusing to accept the changes that the women’s rights movement demands.
Chapter 3

The Movement: WRTGC (Women’s Right to Grant Citizenship)

There have been several factors in the formation of the movement. The fundamental factor was the escalating number of Jordanian women married to non-Jordanian husbands, and who have children with them. Mothers increasingly started facing many legal and social issues with the local regulations regarding their family members. Namah Habashnah is one of those mothers, and is the founder of the first campaign that sparked the movement, under the slogan “Ūmī ʿūrdūniāh ūa Inseyteha Ḥāqq Lī“ my mother is Jordanian and her nationality is my right.” Writing in an article that the most difficult aspect of her campaign is the suffering of NJCTJM (non-Jordanian child to a Jordanian mother) who are living as aliens in their mother’s country, Habashnah added, “women and children are being denied their right to nationality / citizenship by our own government.” It has caused the children not to live a normal life and to be denied the right of belonging to their mother’s country. In most cases the birth country (Jordan) for NJCTJM is the only country they have known since they were born.

ISSUES FACING THE SUPPORTERS OF THE MOVEMENT

With the increase of the number of CTNJF (children to non-Jordanian fathers), and turn of the state toward giving citizens the rights to freedom of expression and democratic space, at the same time as increasing publicity was

---

5 Piet
provided to the issue by the use of social media awareness of the problem started to increase dramatically. People who were victims of discrimination by the Nationality law became able to communicate outside of the official expensive channels such as newspapers, TV channels. By socializing with other people sharing the same problem and having the same needs, their individual challenges became easier when it became a group challenge. Namah Habashnah coordinated a movement started by raising her voice in public, and pointing out a form of discrimination against women, the inequality in regard to granting citizenship to NJCOJM, in contrast to with Jordanian fathers who grant citizenship to their children regardless of the children place of birth. Namah Habashnah, the founder of the movement, is a writer and poet, human rights activist and an advocate of peace. Habashnah’s achievement is coordinating a campaign demanding WRTGCS under the slogan of “My Mother is Jordanian and her nationality is a right for me - Ḫāqq Lī Ūmī ʾūrdūniāh ūa Inseyteha Ḫāqq Lī.” Habashnah was the first voice that awakened the society for the inequality issue, and gave strength to mothers, who have the strength to express their demand for the right of equality with the man in terms passing citizenship to their children. This campaign is considered the first for WRTGCS. It is also the first campaign that brings to the surface the size of the problem that the CTNJF are facing; in addition, this campaign brought up the mothers’ hardship and suffering with their children within their own country. The paper will discuss in detail the mothers’ hardships and suffering, and the difficulties that their children face as aliens in their mother’s home country. In the beginning, this movement started with Habashnah demanding women’s rights and equality in regard to grant citizenship to their children, and in 2009 she created a FaceBook to
communicate with women, children and activists who support her point of view. In 2011 with the wave of the Arab Spring, Habashnah succeeded to in participating, by herself and with her five daughters, in the public demonstrations in the Jordanian streets. The sign she was holding stated her view that “my mother is Jordanian and her nationality is a right for me,” nothing more nothing less. Since that day until today, her page has about 7000 followers.

Another issue facing the JMTFH (Jordanians married to foreign husbands) and their families is the lack of basic services such as no access to public welfare benefits such as free or subsidized health care and education. At the same time, some other non-Jordanians are enjoying most of the civil rights as Jordanian citizens; for example, when Iraqi refugees came to Jordan in hundreds of thousands, Jordanian authorities waived all the public education, health, residency fees and even cars’ taxes. JMTFH must obtain and renew residence permits for their children and husbands on a regular basis; these last for a minimum of six months to a maximum of a year, regardless of the age. The CTNJF and non-Jordanian husbands are also often restricted from owning or inheriting properties, excluded from certain professions, discriminated against in the employment market and treated as foreign students when applying for colleges and universities. The suffering does not end with graduation from school or higher education; in fact it is the start of unknown future fraught with many kinds of mistreatment and legal and social discrimination. These issues include, but are not limited to the fact that without ID a person’s mobility within the country or even the city is almost impossible. Any policeman has the right to require

---

6 Piet
anybody to provide a valid ID 24/7, and if an ID is not provided, the person will stay in a police station until a relative with the right papers bail the aligned person. In most cases the mother is the person who can do this for her child. Without ID a CTNJF cannot get a working permit; this results in exploitation of those children by their employers and leaves them out of labor rights and protection. Those children cannot have a bank loan or bank account. This is reflected in the title given by Muhammad Shamma to one of his articles in the Ammon net, “Children of Jordanian women married to foreigners, migrant workers without permits.” On a different occasion Habashneh stated that “when a family is deprived of citizenship, it is also deprived of all the other rights that come with it,” which expresses perfectly how a person without citizenship loses all her/his civil and political rights.

The movement for WRTGC to their children started with an individual woman demanding citizenship for her CTNJF (children to non-Jordanian Fathers). For decades the Jordanian government has denied WRTGC, even while the Jordanian Nationality Law grants citizenship if the father is Jordanian, if the father is unknown, or if the child is a foundling. The other condition to obtain citizenship is through nationalization; if any person has lived in Jordan for 15 years continuously, without being charged in any kind of legal issues, and speaks Arabic language, that person is qualified to make a nationalization request. As can be seen from the list of candidates eligible for Jordanian citizenship, there are many cases where a child is automatically granted citizenship by the law, even when a child is a foundling, or the father is unknown or even stateless when the mother is Jordanian, the child automatically

---

7 Ar.ammannet.net/news/56962; 30 May 2010
8 Personal Interview
considered a Jordanian citizen. However, if the father is known to be a foreigner, the Jordanian mother cannot grant or pass her citizenship to her child.

**ORGANIZATION OF THE MOVEMENT**

WRTGC movement it is an organized group; it includes women who are married to non-Jordanian men, foreign children of Jordanian mothers, human rights activists who are supporting the women’s movement, journalists, and many other public figures such as congress representatives and senators. It is considered organized because it has a clear, defined demand based on legal and humanitarian factors. This demand is equality for women’s in term of equal treatment in the specific area of citizenship, specifically to grant women the right to pass citizenship to their children.

To be more specific in defining the movement’s current structure, it is essential to point out that in 2011 the movement split into two streams; one demands the right of children to earn their mothers’ citizenship, and is the original one titled “my mother is Jordanian and her nationality is my right.” The other stream demands that both children and foreign husbands be able to earn the mother’s / wife’s citizenship. This stream uses the slogan “my citizenship is mine and my families’ right,” and it arose as a result of objections to a suggestion offered by the SWR group (supportive with reservations) to give Civil Rights to CTNJF, without granting them Jordanian citizenship. The SWR recognize the need to find a solution to the problems caused by the Nationality Law; they suggested that giving Civil Rights to the NJC would allow them to function legally and securely within the country. Some of those
essential issues this would address are education, health services, labor law, and residency regulations for the NJC Civil Rights. Civil Rights would grants the NJC what a normal citizen enjoy in their Civil Rights, but the NJC would not be allowed to practice political rights such as voting in an official election, running for office, or holding official jobs; with the Civil Rights solution, the NJC would not have right to hold a Jordanian passport either.

Women rights activist fighting for their right to be treated equally and fairly in the Jordanian society see that the constitution states that "Jordanians are equal before the law without discrimination in their rights and duties on grounds of race, language or religion;" the second stream in the movement is based on this and believes that any compromising when it comes to their rights and what rights they are entitled to by the constitution will be seen as relinquishing of their and their families basic rights.

I would explain the movement’s structure, for the purpose of this thesis, as the process of creating pressure on the government to give women married to non-Jordanian husbands the right to grant citizenship to their children and/or their husbands. It also creates awareness in the local society and in international human-rights organizations about the discrimination against women. It shows the double standard of the Jordanian Nationality law in its treatment of men and women and their ability to grant citizenship to their children and non-Jordanian spouse. This movement is demanding a radical change, with one stream seeing that the need to solve the everyday problems for the victims is essential, while the other stream does not want to risk the chance that an attempt to change the Nationality Law and constitution.
would be compromised by temporary solution involving “Civil Rights” for children from Jordanian mothers. According to Aroub Soboh, the civil rights solution is a decision and a recommendation not supported by the law, which would be subject to being reversed at any time due to a Prime Minister or minister’s opinion. In addition, this position avoids the issue of the woman’s right to equality with men. Others think of Civil Rights as a temporary solution until women are allowed the right to grant citizenship to their children and husbands. Regardless, the civil rights solution was not enough for the activists, and the authorities were not ready to concede such a solution anyway. Due to this, the Jordanian Nationality Act and Nationality Act became the subject of controversy between the opposition and the supporters of granting Jordanian women the right to confer citizenship to their children and husband. The law does not allow women the RTGCS to their children.9 Because of the concern about the Civil Rights solution being one official’s decision subject to being changed by future officials or government, the second stream in the women’s right activists demands a change to the text of the Nationality law and amendment to the constitution. In the next chapter civil and political rights will be explained in detail, and the debate between the SWR and its opposition will be discussed in detail.

LEGAL CLAIMS OF THE MOVEMENT

There are two factors that the Movement and its supporter are basing their claims on; one is the conflict between the Nationality Law and the Constitution, and the other is the contradiction within the Nationality law itself. Human activist lawyer Akif Al-Ma’ytah explained in a local Jordanian TV interview that article 9 of the

---

Jordanian Nationality Law stated “The children of a Jordanians shall be Jordanians wherever they are born.” According to Ma’ytah the Jordanian Nationality Law contradicts Jordan’s constitution in article six where it says “Jordanians shall be equal before the law.” He added that “Jordanians” are defined as male and female in the constitution, and because the constitution is above the law, Jordan’s Nationality law is in violation of the constitution. Many legal scholars are adopting this reasoning and building their arguments to bring equality to Jordanian women. The other line of reasoning is based on the contradiction between articles 2 and 3 and article 9. Article 2 context says that “‘Jordanian’ means any person who by virtue of this Law possesses Jordanian nationality;” where article 3 – which explains who shall be deemed Jordanian nationals – section (3) defines this as “Any person whose father holds Jordanian nationality” with the mothers’ nationality completely ignored.

Maytah, as a scholar and human activist, strongly supports women’s right to grant citizenship from human rights and legal standpoint. He thinks it is their right granted to them by law, rather than a favor given them by the government.\(^\text{10}\)

Another women’s rights activist and lawyer, Asma Khader, in a personal interview I conducted in Jordan, explained to me that the Jordanian constitution defined “every Jordanian” as man and woman. She also stated

“ The Jordanian constitution stated [Jordanians are equal before the law without discrimination in their rights and duties on grounds of race, language or religion …], however, we, as human rights activists, and a lawyer, with my colleagues in the same field, are trying legally

\(^\text{10}\)Dūnā īa Dūnā TV program
demanding that the government add “sex” to the constitution text, so it will be - Jordanians are equal before the law without discrimination in their rights and duties on grounds of race, language, religion, or sex –“Khader

During the interview with Khader, it was obvious that she knows how difficult the battle will be against the oppositions, especially “Mūtardinīn“ according to her. What she meant by the Mūtardinīn are the Jordanian people who are prejudiced for the Jordanians from trans Jordanian origins, or those who want to avoid sharing the country with any other subjects as much as, and appose to any suggestion would allow naturalize by any way.

Analyses and conclusion

The cause of the movement's existence is the lack civil rights, which allow a person to enjoy space and freedom to evolve. The effect the movement desires to achieve is to create a small Jordanian community within the society which works together to work towards changing the law to allow the women and their families to exercise their rights as humans and Jordanians. This community contains women who are married to non-Jordanians, and their families. As the movement has evolved, its demands have evolved as well. At the present time it is demanding equality for women to be able to grant citizenship to their children, as men are already able to do. This would give the children, who currently do not even enjoy the same benefits as non-citizen residents, all the benefits guaranteed to citizens in the only country the children have ever known. The movement is not demanding special treatment, on the

11 Personal interview
contrary it is movement demanding basic rights that any normal citizen or even resident would enjoy. Moreover, the movement demands the right for CTNJF to be productive in their own society, instead of being forced to remain unproductive. It demands health care, access to education, residency stability, mobility for the everyone, which are all characteristic of civilized, productive society. There is nothing within the movement’s campaigns which demands the right of citizenship for any refugees or non-Jordanian residents other than the children and/or husbands of Jordanian citizen mothers.

Through analyzing the movement’s steps, and by the way it presented two streams, the thesis provides evidence that some individuals in the movement are willing to compromise between insisting on granting citizenship to the CTNJF, and simply receiving for them the services, rights, and restrictions waivers which would bring stability to their lives. However, some individuals in the movement insist on demanding citizenship as an essential right granted to them by constitution. The movement is not creating a new idea within the Jordanian society; rather it is trying to allow the women to be treated equally to men; in Jordan only a father can grant citizenship to his child and wife. Therefore, the women are demanding the same right to grant citizenship to their children and husbands. They see that the Nationality law discriminates against their rights as Jordanian citizens and as mothers. It is also discriminates against them in term of treating them as less than a full citizens.

Logically, the women think of demanding that they be treated as full citizens and full humans, by changing the laws to recognize them as citizens. There is nothing indicating that movement is sending any coded message to the society or officials that
would indicate any political or economic reason that would be hidden beneath their
demands of equality and the right to grant citizenship to their children. The women
having the right to grant citizenship to their husbands and children should not have
any more effect on the society, economics, and politics of the country than it does
when the men grant citizenship to their children and wives.
Chapter 4

The Opposition to the Women’s Movement

INTRODUCTION

The OTWM (Opposition to the Women’s Movement) is the second of the three groups discussed in this thesis, and as the name suggests, is contrary to the women’s movement. The OTWM is not an organized group or party, but rather includes anybody who is opposed to the movement and fights against the movement’s demands that the government grant citizenship to their children and/or husbands. It is comprised of various politicians, government officials, social activists, and journalists and anyone else who is opposed to the women’s demands in this case. While officials and government representatives have remained silent regarding the movement and the women’s Right to Grant Citizenship to their children and/or husbands; journalists and parliament representatives are vocal in discussing the issue and expressing their objections to the movement. The main concerns of the OTWM can be summarized as two categories: internal concerns and external concerns. Officials have taken many opportunities to express their concerns in articles, meetings and interviews.

The main external concern is the perceived threat the Palestinian issue poses to Jordan. The Palestinian issue can itself be divided into three main points, which drive the OTWM external concern. The first point is that the women’s movement would result in making Jordan an alternative homeland to Palestinian refugees who have a travel document but no nationality in the Arab world.\(^1\) Second, if the government changes the citizenship laws to reflect the demands of the women’s

\(^1\) The Palestinian travel document. explain
movement, people currently living in Palestine will be able to receive citizenship more easily by marrying a Jordanian-Palestinian female relative. The third concern, which is a result of the first and second concerns, is that the women’s movement will weaken the demand to the right of return as agreed to by the UN in its resolution 194.13

In addition to the external concerns, the OTWM has two main internal concerns. The first is the issue of a threat to Jordan’s sovereignty. From the OTWM point of view, if women grant citizenship to their children and / or their husbands, the demographic balance in Jordan will change. Any demographic change will threaten the country’s identity and the freedom of Jordanian – Jordanian (from East Bank roots and 1948). Jordanian-Jordanian will not be the majority, which means that they will not be able to rule their country or achieve their interests. The OTWM also sees that any shifts in the society’s homogeneity will threat the country’s security because the “new” citizens will have different agendas and goals to achieve. The OTWM believes that this will not be in the favor of Jordanian-Jordanians, and instead it will be at the cost of the original citizens’ interests.

JORDAN’S SITUATION

For a reader to be able to understand why Jordan’s location and situation is so unique compared to other countries in the Arab world and to serve the thesis research

purposes, an explanation is necessary regarding Jordan’s geopolitical situation. In the paragraphs below, this paper will present an explanation as to why the country’s location is unique and the challenges it is facing, in order to fill some gaps and make sense of the OTWM’s fears.

The Jordanian identity and nation did not exist a hundred years ago; this explains why the Jordanian Nationality Law along with the Jordanian constitution have been rearranged three times. The first was the 1928 constitution, which was made right after the creation of Trans Jordan in 1921. However, Trans Jordan was under the British mandate until 1946. When Trans Jordan got its independence and became officially the Hashemite Kingdom of Jordan in 1946, it was necessary to change the constitution, so the 1947 constitution replaced the first one. The 1952 (present) constitution was created after the union between Jordan and West Bank after the Arab- Israeli war in 1948. Therefore, the constitution was changed. The political situation was always the cause of any changes in the constitution, and it was changed according to the best interest to the country at the time of the creation of the constitution. The Nationality Law among other laws may be affected by multiple changes. The Nationality Law contradicts the text of the constitution; however, inequality is not a solution to avoid other confusion in the society. Women's rights cannot be the price to avoid political or social consequences. Equality should be the solution for any consequences that the country would go through, and this is the only way to produce a coherent society and strong, loyal nation.

Jordan is located in the heart of the MENA because it is in Western Asia, on the West Bank of the Jordan River. Jordan share borders with five countries. The
border with Israel, the longest Arab border with Israel, is 238 km plus 97 km with the
West-Bank (the Palestinian occupied territory), or a total of 335 Km border with land
controlled by Israel. The Iraqi border is 181 km, the Syrian 375 Km, and the border
with KSA is 744 kilometers. Because of the Arab-Israeli conflict, and after the peace
treaties between most of them and Israel, the Jordanian authorities are responsible for
maintaining a secure border with Israel and providing security and stability within
Jordan. Jordan shares a water border with Egypt by sharing the Red Sea with Egypt,
Israel, and KSA. Jordan is in a central position in a sensitive region with a history of
conflicts that have significant implications for the country; its society and politics
have been influenced by waves of refugees from Palestine, Iraq, and recently Syria.
This affects its security and its economic, social, and political stability.

There are 600,000 Syrian refugees in Jordan registered by the UN, 83,000 of
them only in one camp; however, the total number of Syrian citizens living in
Jordan before and after the civil war including workers, visitors (residents) and
refugees is 1,282,424 according to the spokesman for Syrian refugees in Jordan, Mr.
Anmar El-Hmoud. There are 449,100 Iraqi refugees, and this is after more than 10
years of the war, but only 2,200 are registered with the UN in order for the UN to
compensate Jordan for hosting them. In addition to a sensitive information
regarding the Palestinian population that 1.5 million refugees, and 39 percent
(previous source claimed a 43 percent according to information in 2003) of the
Jordanian citizen population are from Palestinian origin, while 68.5 percent are

---

14 The UN refugee Agency donate.unrefugees.org
15 Al-Rai newspaper, Jordan times 25 Feb 2014 (www.alrai.com/article/585191)
16 Piet
Jordanian-Jordanian origin and the total Jordanian citizen population is 6.700.00; while total population in Jordan contain 7.5 percent Iraqis, 7.5 percent Egyptians (labor forces), 24 percent Syrian. The internal concerns of the OTWM are based on the country’s demographic factor, which is comprised of population size, population distribution, and political loyalty (Pressat, 1985; 40). For this reason, going into detail on country’s demographics will help clarify the concerns of the OTWM.

One issue Jordan faces is migrant workers affecting the economic situation. Many workers from neighboring countries such as Egypt, Syria, Lebanon and others are already increasing the unemployment rate in Jordan. They accept cheaper wages than the Jordanians, which increases currency flow out of the country, in addition to causing high employment. This would become an even bigger issue if those workers became citizens by marrying Jordanian women. Among the immigrant working population, there are 280,263 people who have working permits and about 400 thousand people without working permits; 69 percent of those workers are Egyptian, according to the Jordanian Ministry of Labor’s report in 2011. (Al-Rai newspaper). In addition to Syrian’s half a million Egyptians, 250,000 Iraqis are estimated to be living in Jordan legally. Majali stated “there are tens of thousands of Palestinian refugees who do not have Jordanian national numbers, and Jordan has a significant number of foreign laborers living in the Kingdom, mainly of Asian origin who have settled in the country for a long time;” this makes Jordan’s population even more than the 8 million officially living in Jordan. From the same source, of the 1.3 million Syrians who are living in Jordan only 550,000 are refugees who arrived after the

---

17 Roland Preset The (Pressat) dictionary of Demography
18 Piet
beginning of the conflict in Syria in March 2011, and around 450,000 were in Jordan from 2006-2011. (The Jordan Times, 1 July 2013)\textsuperscript{19}. In 2012, the Jordanian Health Minister announced that the total number of illegal workers in Jordan is about 2,200,000. The minister described them as “a country inside a country” according to Al-Ghad newspaper.\textsuperscript{20} This is in a country with an official Jordanian population of 6.9 million, where about 850,000 live abroad, as estimated by Jordan’s Interior Minister Hussein Majali to The Jordan Times in 1 July 2013.

There is a statistical fact that opposition uses to explain the unique situation of Jordan. The annual reports of the Jordanian Department of Statistics, shows that the population density per square kilometer in Jordan is increasing every year; by comparing random years, it is easy to see how it has increased from 6.6 per square kilometer in 1952, to 24.0 in 1979, to 46.6 in 1994 (which could be a result of the DSW or the first American-Iraqi War when many Jordanian citizens were deported from the Arab Gulf countries), to 60.3 in 2004 (after the second Iraqi-American War in 2003), to 71.9 in 2012; that is without counting the Syrian refugees.\textsuperscript{21} Jordan has very limited resources, especially water, and is one of the very few MENA countries that imports energy. The more the population increases in Jordan, the more the cost of living increases, with no improvement in the individual’s income. This makes it difficult for the government to meet its constitutional obligation to provide the public with the basic services of free elementary education in the governmental schools, public health services, transportation, roads, water, electricity and energy.

\begin{itemize}
\item \textsuperscript{19} The Jordan Times
\item \textsuperscript{20} Al Ghad Newspaper 29/8/2012
\item \textsuperscript{21} Jordanian Department of Statistics <http://www.dos.gov.jo/dos_home_e/main/ 15 September 2013>
telecommunication systems, safety and security, public universities and colleges (higher education in Jordan is not free, but to provide the nation with reasonably priced college-level education compared to the private sector – is still a significant cost to the government). 22

ARGUMENTS OF THE OTWM

With the information provided in the previous explanation of Jordanian international borders and population structure, one can see that the OTWM viewpoint is based on the geopolitical situation of Jordan and the extent of the instability in the surrounding countries. Because of this instability, many people from those countries want to become Jordanian citizens for the sake of better safety and opportunities than are available in their home countries. Those people’s loyalty to Jordan nor to its benefits, instead they will turn their back on Jordan for the first chance that brings them better opportunity in their original countries. For this reason, the OTWM believes that Jordan should not make any changes in any nationality laws or make any constitutional amendments that would give a chance for Iraqis, Syrian, and Palestinian refugees to become Jordanian citizens, even though people of those nationalities make up huge refugee groups in Jordan.

If the ratio between citizens of Jordanian origin and citizens from non-Jordanian origin changed so that the number of Jordanian-Jordanians was about equal or less than that of Jordanians from other origins, it would result in loss of Jordanian sovereignty and their right of ruling their mother country. Because Jordan is considered a constitutional monarchy, any group can succeed to reach representation

22 Ad-destor
in congress and practice full political and civil rights as citizens. This has two effects. One is political, because the original citizens’ chance of having power over their home country will be much slimmer if the nationality law is changed so non-Jordanians can gain citizenship. Those new citizens would affect government and parliament decisions in their favor, which could have different effects; such as bringing in streams of foreign political groups.

This scenario was seen in the early 1970s when the B’ath\textsuperscript{23} party tried to have influence over the local regime through Jordanian students who were studying Iraq. Jordan regime does not allow anyone to belong to foreign political groups, or allow any national political group to get financial support from outside, or allow national groups to be extensions of international political groups. Another incident happened in 1970 with Black September, the Civil war that began in September 1970 and ended in July of 1971. When the Palestinian refugees were allowed to practice political activities, and had the right to engage in political groups, they extended their activities under the Palestine Liberation Organization, and violated Jordan’s sovereignty and security. The conflict occurred between the two major components of the Jordanian population, the Palestinians, and the native Jordanians. This caused a civil war to determine if Jordan would be ruled by the PLO or the monarchy family. The civil war lasted for almost a year, thousands of people from both sides were killed, Jordan suffered a boycott by the rest of the Arab world for few years, and the PLO and its followers were eventually expelled to Lebanon. This incident remains a lesson to the native Jordanians and their leadership to make sure native Jordanians are the majority of the total population in order to prevent future divisive political

\textsuperscript{23} Piet
conflict.

These issues of loss of political control and loss of stability in the country are two of the main internal concerns for the OTWM when it comes to allowing women to be considered equal with men on the issue of the RTGCS. These views are expressed by an opposition journalist, Nahed Hattar, who accused the supporters of the movement of creating division in Jordanian unity. He backed up his claim by stating that the number of people who would gain their citizenship - about 700,000 non-citizen children and husbands of Jordanians, or about one sixth of the total population in Jordan. Safety and security of the nation are a major concern of the OTWM; this is the influenced by the idea of freeing Palestine by having a strong base in Jordan, which would result in an attempt by Palestinian rebels to repeat the Black September from the 70’s. When Jordan opened its border to Palestinians and allowed them to have political and social groups in 1967, it led to a civil war where thousands of people were killed in Jordan from both sides. OTWM are trying to avoid any chance of history repeating itself. According to Hattar, granting that many people citizenship would also confuse the demographic concept of the Jordanian identity. In addition, Jordanian sovereignty and identity should be protected for Jordanian citizens, by controlling it and limiting it to Jordanians from what was originally trans-Jordan. Hattar’s view is commonly held among the opposition, who see this as the best way to preserve Jordanian unity and identity. This view might have roots related to the Civil War that affected the country from 1972-1973 (the Black September

---

24 Nahimd Hattar, 3 April 2013, Al-Arab Alyoum newspaper 19 September 2013
between the subjects of Palestinian origin and the Jordanian regime);\textsuperscript{25} this will be discussed in depth in the second chapter of this thesis.

The other internal concern of the OTWM is the economic issue that allowing so many people to become citizens would present. With the very limited natural resources in Jordan and population rate increasing, economically, new citizens would rival the original citizens over the basic services that government grants to citizens. For example, by the constitution, the government must provide free education to Jordanian citizen up to the high school, and grant them an equal opportunity to college education at a lower cost than non-Jordanians. The government is also required to provide healthcare at a nominal cost for citizens. By allowing WRTGC, many people would become citizens and which would put a strain on the government’s ability to provide services, and the government service standard would be lowered to ensure equality among citizens. The possible solution of granting civil rights to the NJCTJM and non-Jordanian husbands of Jordanian women, without giving them citizenship, will give the new citizen all the rights and benefits from the welfare and subsidies by the government. Although this would avoid many of the other internal and external concerns of the OTWM, it would still cause the same economic problems which would result from granting them citizenship.

The external concerns of the OTWM are based on the issue of the Palestinian people who are refugees in Jordan. The OTWM is concerned about the effect that the WRTGC would have on their situation, especially as it involves a Palestinian homeland. Jordan’s population is about 39 percent Jordanians of Palestinian origin.

\textsuperscript{25} Dr. Ahmad Alkhalailah, 1998. “Jordan’s Strategy and its correlation with the Palestinian issue.”
including refugees and guest-refugees (Palestinians in Jordan who immigrated from Palestine in 1948, and from the West Bank and Gaza in 1967); this is in addition to the 1.5 million non-citizen Palestinians. If these non-citizen Palestinians got the chance to become JC (Jordanian citizens), it would amount to granting the Israelis what they have been demanding and trying to do for the past 60 years, and make Jordan an alternative homeland for the Palestinians. Furthermore, if the women’s movement and women’s rights activists succeeded in putting enough pressure on the Jordanian Government to give women equal rights to men, including the RWTGC to children and husbands, that will encourage more Jordanian women from Palestinian origin marry Palestinian men in order to bring them to Jordan, or to encourage them to raise their children as Jordanians instead of Palestinians. If this were to occur, then the demand of Right to Return\textsuperscript{26} will be useless and will lose it value. The OTWM argues that any changes in the nationality law would lead to an evacuation of what is left of Palestine, and therefore the law should remain unchanged in order to protect the current status of the Palestinians, because as non-citizens they cannot leave Palestine without having any kind of traveling documents.

Dr. Amer Sabailah, explains his opposition to amending the law in his article, “Khatr Ālthakafa wa Addīmografiā ʿala Alūrdūn” - “Jordan risks demography and culture.” In this article, he accused international groups of using the human-rights issue to pressure Jordan into become an official alternative home for the Palestinians, which would result in the country of Jordan being divided into regions based on Jordanian or Palestinian origin. Sabailah supported his opinion with the fact that the

\textsuperscript{26} Right to Return is a political position or principle asserting that Palestinian refugees both first generation and their descendants have a right to return and right to property they or their forebears left or which they were forced to leave in what is now Israel
majority of Syrian refugees to Jordan in the last year were of Palestinian origin and pointed out that all the Syrian refugee camps are in the North. This means that even more Palestinian refugees are currently coming into Jordan, which makes these issues a greater concern. He sees this as a real threat to the Jordanian identity, as well as threatening the right of the Palestinians to return to Palestine. In his opinion, if women received the RTGCS to their husbands and children, many women who are married to non-Jordanians would then be married to Jordanians and the husbands would then lose their claim to their right to return to Palestine.

**Analysis**

The OTWM believes that if the government acquiesces to the movement’s request to change the Nationality Law, that the Palestinian refugees in Jordan would obtain Jordanian citizenship, increasing the Jordanian population by one-seventh. According to a personal interview that I conducted with Nahed Hattar in Jordan, he assured me that neither Jordan nor any country in the world can accommodate such a large, sudden growth in its population. This OTWM concern about sudden population growth would only be valid if these “one seventh” were all non-citizen children or husbands of Jordanian women. The “one seventh” includes the entire population of Palestinian refugees living in Jordan, many of who would not have any legal claim to Jordanian citizenship even if the Nationality Law were changed to allow Jordanian mothers to grant citizenship to their children and husbands. In

---

27 Dr. Amer Alsabailah, 29 July 2012  
28 Personal interview with Nahid Hattar
addition, the Palestinian refugees have already been accepted in Jordan since 1967, so the economic situation is already adjusted to their presence. Therefore, any economic burdens will remain the same even if the Law is changed to allow a large increase to the citizen population, because the actual population of Jordan will remain the same.

Another concern of the OTWM is that any change in the Nationality Law would greatly contribute to the creation of an alternative home land for the Palestinian in Jordan; this is absolutely not in the interest of Jordan, nor the Palestinian case or their demand to grant their right of return to Palestine. Probably the right of return would be an issue of concern for the Palestinians, but the right of return is granted by the UN for Palestinian and their heirs.\(^{29}\) Regardless, the right of return includes not only the refugees without citizenship, but also Jordanians and citizens of any country who are of Palestinian origin. If this OTWM claim was based on fact, it would also apply to the Palestinians who are already Jordanian citizens. In fact, just in the past few months during the American-Jordanian delegations for the new step of peace with Israel, the Jordanian Prime Minister announced that Jordan is the only authority that has the right to negotiate any compensation to its citizens from Palestinian origin, but that every eligible Palestinian in Jordan will be included in the agreement, regardless of what citizenship he/she holds.\(^{30}\) Moreover, according to the UN decision, the right of return applies to every person of Palestinian origin, who has been affected by the situation caused by the Israeli invasion of Palestine in 1967, and who was affected by the creation of the state of Israel in 1948. There is nothing in the decision which denies them their right of return if they obtain another citizenship.

---

\(^{29}\) Right to Return  
\(^{30}\) Right to Return
There are many nations who were forced for political reasons to leave their countries; in most cases, these people acquired other citizenships, yet they did not lose their right to go back to their homeland when the obstacles removed. The best example for this is the existence of Israel – the issue at the center of the conflict in the Middle East. Historically, all the Jews were originally from what has been called Palestine for hundreds of years; those Jews were granted their right to establish a homeland in it by Balfour Declaration.\footnote{Belfour declaration} This took place, and the homeland became a state later on in the mid-1900s. Even after thousands of years they maintained the right of return. Most, if not all, the people who returned to create the state of Israel already had citizenship in a different country, and this did not affect their right of return. By having this precedent, people from Palestinian origin should not be denied the right to return just because they obtain another citizenship.

The OTWM is also concerned that Jordan’s geopolitical situation would be confused, if the Nationality Law changed, and allowed so many new citizens. The opposition believes that the demands of the WRTGC movement will expose the country to the instability of the surrounding region and will drag Jordan into chaos. To back up these concerns, the OTWM points to the militia organization and terrorist cells’ activities in the neighboring countries such as in Iraq and Syria. This issue is closely tied to the external concerns, which primarily involve the Palestinian right of return. One of the reasons for continually bringing up the right of return is to come up with any reason for keeping Palestinians out of Jordan. They tie this to the Palestinian issues during the civil war in early 1970s, in order to support their position and prevent any more Palestinians from becoming Jordanian citizens. However, up to this
point, the opposition has not explained how granting women equality and the right to grant citizenship to their children would lead to bringing unwelcome subjects into Jordan.

Their claim is that allowing women the right to grant citizenship, refugees from the surrounding countries would become citizens and bring all the problems of the region into Jordan. The issue of a Palestinian takeover of Jordan greatly concerns the opposition, apparently due to past experience, represented in the history of the Black September (the Jordanian-Palestinian civil war). Also, the Opposition believes that, having a mix of angry refugees, displaced from Iraq, Syria, and Palestine, would lead to the creation of militias in Jordan in order to produce a form of power and a sense of belonging in the new country, instead of being simply an “expatriate citizens home.” The opposition also fears the changing demographic structure of the society, from one of homogenous culture, history, roots, goals, dreams and agenda to a more heterogeneous culture; that would include different backgrounds, goals, dreams, and values. In order to prevent this and keep more people from the surrounding region, especially Palestine, from becoming Jordanian citizens, and thus disrupting the Jordanian society structure, the OTWM has come up with a number of arguments to support their ideas.

The OTWR use the term “irritate the demographic stability” to describe the situation they believe will result from meeting the demands of the WRTGC movement. However, the only way that the demographic stability would be irritated is if the government changed the election system, and the representatives from Jordanian origins did not hold as many seats as they do within the present voting
system. For example the Kerak governorate that has a population of 200 thousand and has ten members in parliament, while the Zarka governorate contains about one million people who have eleven representatives. Karak is dominated by native Jordanians, while on the other hand, Zarka contains a mix of different ethnic groups and origins including native Jordanians. If the movement succeeded in pressuring the government to change the Nationality Law; this would not affect the fact that the ratio between those cities is huge. Moreover, in 1 February 2010, the Jordanian Parliament Monitor posted a study by *The Center for Strategic Studies at Jordan University*, that suggested raising the number of representatives in Amman, the Capital city, by five, and giving two more seats to the Zarka governorate; at the same time it suggested reducing Karak’s representatives by four seats.\(^{32}\) The issue of demographics in elections already exists, but it has nothing to do with the women’s movement. Jordan already has a high population of Palestinians, and allowing the children and husbands of Jordanian women to become citizens will not affect this by that much. The same methods Jordan currently uses to deal with changes in demographics for elections can just as easily be used to adjust for the new citizens. For these reasons, the OTWM uses the Palestinian right of return as another instrument to support their argument, and to prevent naturalizing more Palestinians. Palestinians already make up one of the biggest ethnic groups in the country; therefore, it is very important to the opposition not to change the current structure and allow the Palestinians to gain more influence in the government.

However, because the OTWM are not an organized group, the arguments put forward by the group as a whole are not necessarily coherent. There exists another

\(^{32}\text{Piet}\)
argument, based on the argument about the fragmentation of Jordanian culture, which says that the people, such as Iraqis, Syrian, and Palestinians, who come and receive Jordanian citizenship are seeking a temporary solution. According to this argument, Jordanian citizenship is a short-term plan until those misplaced people can improve their lives and recover from the suffering caused by the instability and lack of security in their original countries. With the demise of the cause of their expatriation, they will go back to their countries. Based on this point of view, there is fear that a solution meeting the movement’s demands to grant citizenship to their children and/or husbands, will create “expatriate Jordanian citizens;” this is seen by the OTWM, as damaging to Jordan’s identity and culture.

Regardless of the argument that the OTWM are using, they believe that any change in nationality law which would give WMTGC to their CTNJF (children to non-Jordanian fathers) should not be an pursued, instead, the nationality law and the constitution should remain that same, and citizenship be granted only by a Jordanian fathers, as is currently the law. As the chief editor of Al- Arab Alyawm newspaper stated in one of his articles, “Granting citizenship to children of Jordanian mothers is a sovereignty issue but not human rights.”

The opposition fails to see the other side of the issue, including the consequences for the CTNJF if they are not granted citizenship, which is one of the main concerns of the WRTGC movement. In addition, the opposition does not address the issue of the contradiction between the constitution and the nationality law, another essential argument of the movement. Instead the opposition has come up with a wide variety of arguments against the movement’s demands, which do not take into account.

33 Al-Ghad Al-youm 25 Jul 2011
account all the facts. One of the main problems with the opposition’s argument about the Palestinian issue and the issue of Jordanian culture is the fact that Jordanian fathers already have the right to pass Jordanian citizenship to their wives and children. If the issues which the OTWM promotes as reasons to prevent women from gaining the RTGC were actually so significant, these issues would already be present due to the fathers passing citizenship to their families. The other issues the OTWM arguments focused on were the consequences of giving citizenship to mainly Palestinian refugees, not to the non-Jordanian children and husbands of Jordanian women. These issues included the issue of the right to return and the economic concerns of suddenly granting citizenship to a huge number of people. Based on this, the opposition then built up their reasoning in terms of the external and internal effect of the nationality law being changed according to the movement. Thus the opposition created a straw man argument to oppose the movement and its demands for equality and women’s rights, because the movement did not demand citizenship for all the Palestinian refugees.
Chapter 5

Supporters with Reservations

INTRODUCTION

The third perspective that is discussed in this thesis is the SWR (supportive with reservations), which came about as a result of the interaction between the women’s movement in Jordan, which claims the right for women to grant citizenship for their children and / or husbands and the OTWM (Opposition to Women’s Movement). The SWR opinions are in the middle, between those of the previous groups; on the one hand the SWR sympathize with the suffering of mothers married to foreigners and the abuse of the rights of their children in Jordanian society, and realize the urgent need to develop a solution to this situation which would include education at a reasonable cost, access to health care, fair job opportunities and full labor rights in Jordan for the people affected by the unfair law. However, on the other hand the SWR are also concerned with the fears and concerns of the OTWM regarding the external and internal consequences of such a solution. As is covered in the second chapter in detail, the external issues pertain to the issue of the Palestinian refugees from neighboring countries who do not have citizenship or passports from any country, but rather hold “travel documents.” The internal consequences include a variety of issues. These include the political instability in the neighboring countries, and how a change in nationality law will allow that instability to affect Jordan. In addition, the OTWM is concerned that the political changes which could come as a result of the addition of new citizens would be at the expense of the original citizens and Jordanian security, and that the additional citizens will have a negative impact on the Jordanian economy.
The SWR, like the OTWM, is an unorganized group, meaning that they are not a specific organization or group of individuals with a specific goal. SWR are, for the purpose of this thesis, the collective of individuals who have a sense of responsibility toward social issues pertaining to the homeland and its citizens and come down in the middle on the issue of the RTGC, neither supporting the movement fully, nor being vocal in their opposition like the OTWM. Like the OTWM, the SWR includes individuals from a variety of fields, such as congress representatives, journalists, lawyers, human rights activists, and common people in the society. The SWR started looking for a practical solution to accommodate Women’s Movement’s demand for rights and benefits for their children, but the SWR also considered the opposition’s concerns and fear of granting citizenship to NJCOJM. One solution they came up with was the granting of Civil Rights to these children, which was suggested by a congress representative.

In May 20, 2013, the Civil Rights Act for children of Jordanian women married to foreigners was suggested as a solution to the problems faced by the non-citizen children of Jordanian mothers. Eleven representatives proposed the Civil Right Act to the Speaker of the House Council of Representatives to discuss it. Even though many representatives stood against this proposal, it was passed by the Council of Representatives, to the Council of Ministers through its submission to the ministry of Interior. Representative Waf’a Bany-Moustafa took the initiative and supported the Civil Rights Act proposal. According to an article published on May 20, 2013 in Ad-Dustour newspaper, “the representatives who agree on this proposal come for reasons of harmonization with most of the world’s legislation, which gives this class of people most civil rights, most of the time to the extent of
granting them citizenship in many countries […] the Jordanian people realize the importance of rights such as education, health care, employment, mobility and others […] granting Civil Rights to the children of Jordanian women not only constitutes a protection for this group, but a national interest of the State because this category adds value to the community.” *Ad-Dustour newspaper*

This proposal was denounced by Habashneh’s campaign, the founder of “Ūmī ‘ūrdūniāh ūa Inseyteha Ḥāqq Lī” (My mother is Jordanian and her nationality is my right); after I asked her directly about the proposal’s existence she answered “we, the campaign, demand citizenship for our children and the government is approving the Civil Rights.” (Habashneah). According to a copy of the original documents that I was able to get a hold of, on July 1, 2013 the Speaker of the House sent an official letter to the Chairman of the legal committee containing the request to provide the NJCOJM a temporary passport to accommodate their mobility needs, considering that this passport would not grant them a citizenship or a permanent right for the passport. The letter represented the proposal of an amendment to the Jordanian Passport Act which was sent to the Senate Council January 5, 2014. Since then, the opposition voice has become more aggressive in regard to this suggestion, claiming that this is the first step to granting official passport and citizenship to NJCOJM. Because of this, that request was denied by the Council of Ministers, and instead of studying how to grant Civil Rights to the NJCOJM, the Council of Ministers is suggesting what they call “Māzāī Khadāmātīāh” meaning they are suggesting a

---

34 Personal interview of Habashneh conducted April 8, 2014
35 The documents attached to the thesis
limited increase in availability of certain services and facilities to NJCOJM which are provided by the government to citizens. The suggestion is that they can include the NJCOJM in the benefits of some services normally exclusive to citizens in order to facilitate the day-to-day life of NJCOJM within Jordan.

The “Māzāī Khadāmātīāh” suggestion came to replace the Civil Rights proposal. The opposition became more vocal in opposing the Civil Rights proposal, which lead some government officials to come out of their silence in regards to the opposition to the Women’s Movement. For example, ministers who had never spoken out about their opinions had to explain their rejection of the Civil Right suggestion in one of the sessions of the Council of Ministers. According to a report by Alrab Alyawm newspaper on March 11, 2014, three ministers objected to the request of the Ministry of Interior regarding granting Civil Rights to NJCTJM. The objection came from the minister of Public Sector Development, Dr. Ekhlaif Al-khawaldeh; Minister of Finance, Dr. Umayya Toukan (of Palestinian origin); and the Minister of Cabinet Affairs, Ahmed Zyadat. Minister Toukan’s viewpoint in their in-house meetings was that they need to be very careful not to lead Jordan into a decision that would lead to the Palestinian territory being emptied of its population, and would lead to a form of settlement which would not be beneficial. The third minister, Al-khawaldeh, rejected the proposal while trying to remain neutral by pointing out that any decision made by the government could cause confusion and insecurity in the House of Representatives, because some representatives oppose the Civil Rights suggestion. This way of presenting his rejection indicates that Al-Khawaldeah holds the opposition viewpoint, but he prefers to keep his opinion hidden behind the representatives who vocally opposed the Civil Rights suggestion. The outcome of this session was completely rejecting the representatives’ request for giving Civil Rights and temporary passports to NJCOJM.
However, the congress representatives, who also considered the proposals of the SWR, are still awaiting the government’s outcome to bring justice to Jordanian women and their children. Until today, April 2014, the government is considering how to handle the issue of “Māzāī Khadāmātīāh,” which is the suggestion of limited services for the NJCOJM, and some flexibility to allow those children to stay in the country. However, because this new suggestion excluded the non-Jordanian husbands and mothers who are still married and live with their foreign husbands in Jordan, this suggestion basically only serves widows and divorced mothers that are heads of household.

Other officials have different opinions regarding Civil Rights to NJCOJM; for instance, Aminah Dabbas, a member of the Jordanian congress and a director of Jordanian Women’s Union, stated during a TV interview, “Jordanian women are capable of raising a loyal generation to the nation.” This came as an answer to a question about whether she thinks the women RTGCS would threaten the country’s unity. In regard to the potential negative economic impact of granting NJCOJM citizenship or Civil Rights, she made the following statement:

“the people gaining citizenship will not adversely affect the country’s economic resources because they are already part of the economy and will still be consuming the same amount of goods and services whether they are citizens or not.” Dabas

Dabas also explained that by gaining citizenship, this sector of society will be able to improve economic growth because they will be able to invest, study, and work legally, which means

36 (Three Minister Have Rejected the Civil Rights Proposal, 2014)
37 Alrai newspaper April 8, 2014,
38 Jordan TV interview, Sabh Alwatan - Ayman Zo’oby : http://www.youtube.com/watch?v=SzrNzUtIAio
39 Jordan TV interview, Sabh Alwatan - Ayman Zo’oby : http://www.youtube.com/watch?v=SzrNzUtIAio
they will spend and invest more money in the country. So in her view, the children will not be an extra weight on the Jordanian economy as the opposition, and the officials who are against the giving of Civil Rights to these children, claim.

Under these proposals for granting civil rights to NJCOJM, these children would not obtain citizenship; rather, they will get a life-time residency in Jordan and access to basic services. While this proposal was accepted by some groups in the women’s movement, there is also a part of the movement that is not in favor of the Civil Rights proposal. This group realizes the danger that comes with such a suggestion. According to Aroub Soboh, the official speaker of “Jensiayt Haqe li wa le-A’aelati” (My citizenship is a right for me and my family) campaign, thinks that the Civil Rights would be a decision and a recommendation not supported by the law, which would be subject to being reversed at any time due to a Prime Minister or minister’s opinion. Because of that, Soboh, as women’s right activist, is not in favor to the Civil Rights suggestion. In addition, this position avoids the issue of the woman’s right of equality with men, socially and legally. Soboh and Dabas, among many others, believe that women deserve full rights and equality in rights as they are in duties and responsibilities by law. There are others who favor the Civil Rights proposal, seeing it as a temporary solution to help mothers and their children to live easier lives while women keep fighting to get their full legal rights to grant citizenship to their children and to be equal to men in Jordan. In summary, the civil rights solution is not enough for the movement’s activists as a final response to their demand because their main goal is to put an end to one kind of legal discrimination against women. However, the opposition also opposes the civil rights suggestion, because they oppose any opportunity which would allow women to gain additional rights; because of this the opposition will keep feeding the public opinion and warning the authorities not to give any rights to women married to foreign men. Due to this, the Jordanian Nationality Act became the subject of controversy between the opposition
and the supporters of granting Jordanian women the right to confer citizenship to their children and husband. The bottom line is that, to this day, the Jordanian law does not allow women the RTGCS to their children,\textsuperscript{40} nor allow NJCOJM to enjoy Civil Rights in the only country they know – Jordan.

\textsuperscript{40} Jordanian law website and online services - Jordanian Legislation: National information system 16 September 2013 http://www.lob.gov.jo/ui/laws/search_no.jsp?no=6&year=1954
Analyses of the SWR and the obstacles faced the Civil Rights suggestions

Most of the SWR were representatives in the parliament, and seem to be trying to create a compromise, paying attention to the movement’s concerns and developing suggestions for solutions, but not going so far as to upset the opposition. In order to do this, the SWR tried to support women’s rights in their own way by suggesting the civil rights solution instead of granting the movement’s demand for citizenship for their children. Civil Rights are not equal to granting citizenship to the children of Jordanian mothers, and do not make a woman equal to a man in the Jordanian society. With this suggestion they smartly avoided opposing the OTWM, and they thought that they had come up with a plan that would please both sides. However, the representatives did not take into account that the Civil Rights solution would be opposed as well, not only from the opposition themselves but also from women and human rights activists. The OTWM opposed the suggestion aggressively, as it is presented in the fifth chapter in this thesis. They had to put a huge pressure on the government to not pass the Civil Rights suggestion; even some ministers among the opposition who had been silent came out of their silence, and foiled the proposal of giving the NJCOJM civil Rights.

To summarize to what was suggested in the Civil Right proposal, it included granting life-long residency for the NJCOJM, so that they do not have to renew it every year. It also would have granted them flexibility to obtain a driving license as easily as citizens, granted them the right to enroll in public schools with the same
requirement as citizens. It would also give the NJCOJM benefits from the public health service and labor law, priority access to employment after citizens, and give them the right to establish private businesses. In addition they would have the right to own property – such as a house or land, and they would be able to obtain temporary passports to enable them to travel. The temporary passports would come with the condition that they would not be a bridge or a step toward citizenship, and the minister of interior have the right to void them whenever he sees it is proper. As it appears, all these rights are basic rights for any human being born and raised in any country, but apparently this does not apply in Jordan.

The women’s rights activist who opposed the civil rights suggestion came from the second stream of the movement who had adopted the slogan of “my citizenship is right for me and my to family” “Jensiatā Ḥaqe lī ūa lī ĩsratī.” The oppose the Civil Right proposal because they consider it a deliberate statement that there is no equality between men and women, father and mother, brother and sister in Jordan, even though the constitution states otherwise, granting equality between all citizens in the eye of law. This stream of the WRTGC movement did not see that the civil rights solution was adequate because it did not address the fundamental issue of women’s rights and equality with men in the area of passing citizenship to their children.

The opposition gave the same reasons for opposing civil rights as they used to oppose the movement’s demands for citizenship. The economic issues which the OTWM gave as their reasons for opposing citizenship they also brought up to oppose
the civil rights suggestion. They also opposed the Civil Rights proposal by claiming that the temporary passport which would be issued to the CTNJF is a step toward permanent passport which will eventually lead to full citizenship. The information below illustrates why neither the economic issue, nor the civil rights leading to citizenship issue is a valid argument against the civil rights proposal.

The suggestion of granting Civil Rights to the non-Jordanian children of Jordanian mothers is not a completely new concept. If we look at the facilities granted by the government to refugees and “forced expatriates from Iraq and Syria” in Jordan we can see what are the roots for the Civil Rights proposal and where it came from. For example, the Palestinian refugees, who are used as pawn by the opposition to thwart any attempt to gain rights for women, are granted temporary passports; the temporary passports provide them with mobility flexibility, but do not make them closer to obtaining citizenship.

In a personal interview that I conducted in Jordan with the lawyer Marwan Khazal, the legal adviser in the department of civil status and passports, he explained to me how they deal with the Palestinians living in Jordan. According to his explanation, in Jordan there are different ways of categorizing Palestinian: Palestinians holding Yellow Cards and those with Green Cards. Yellow cards give certain Palestinians Jordanian nationality. These were issued by the Jordanian government to people of Palestinian origin that lived in Jordan and still have connections to the West Bank (occupied territory), or who lived there prior to 1983 and still can live there, or to Palestinian living overseas and who hold Jordanian
passports. Yellow card holders are entitled to all the rights of Jordanian nationals. The other group is the Palestinians with Green Cards, which were issued to Palestinian who lived in the West Bank prior to 1988. They are allowed to obtain a temporary two-year or five-year passport, but they do not have a national number. Therefore, they are not citizens nor are they entitled to the rights of citizens. Gaza refugees who fled in 1967 were granted refugee status but never citizenship. However, they were issued two-year temporary passports, but still have no citizenship rights.\textsuperscript{41} Most of them are still living in refugees’ camps and get assistance from the UNRWA.\textsuperscript{42} Ghazal was not the only source that provided me with this information, and because I was not allowed to record the interview or even to write down what he was telling me, I researched other sources which would support the information that he provided me with. According to RefWorld:

“There are reportedly three groups of Palestinians residing in Jordan [...] Palestinians who migrated to Jordan and the Jordan-controlled West Bank following the 1948 Arab-Israeli war received full citizenship. Those who migrated to Jordan after the 1967 Arab-Israeli war and who hold no residency entitlement in the West Bank, also received full citizenship. Palestinians still residing in the West Bank after 1967 could no longer claim full citizenship but could obtain temporary passports without national identification numbers, provided they did not also have a Palestinian Authority travel document. Those

\textsuperscript{41} Personal interview with Marwan Ghazal
\textsuperscript{42} UNRWA, United Nations Relief and Works Agency for Palestinians in the Near East. Viewed on 2 March 2014.
who fled Gaza after 1967 were not entitled to citizenship and were given temporary passports without national numbers”

Another group of refugees in Jordan who were provided with more services than the CTNJF was the Iraqis. They were allowed to own property, a house, or even a business in Jordan. I personally know this for fact since I have many Iraqi neighbors still owning their houses and properties. In fact, because of the increased buying and selling of houses among Iraqis, the government banned any non-Jordanian from owning a property and selling it before three years from the buying date. While on the other hand, the CTNJF cannot enjoy this right of owning property or even one house. The opposition did not see more than one Iraqi residence in Jordan as a heavy weight on the shoulders of the country, nor as an extra expense on the economic situation in Jordan. In addition, the government in Jordan gave special treatment to the Iraqi refugees when it waived the car tax for Iraqis residents during the Iraqi war, even permitting them to keep the Iraqi license plate and waiving the condition of getting the car out of the country after six months. Cars in Jordan are extremely expensive, and the tax can reach to 300 percent. No opposition tried to keep the Iraqi refugees from enjoying this hospitality from Jordan during the disaster in their home country. They were allowed to participate in the Jordanian society and economy and get benefits such as healthcare that the CTNJF are denied. This goes to show how the non-Jordanian children of Jordanian mothers, who were born in Jordan and have lived there their entire lives, are given fewer rights and privileges than the refugees and the opposition continues to support the status quo.

43: http://www.refworld.org/docid/4df9dfd12.html [accessed 02 April 2014]
For these reasons, the SWR suggestion to give civil rights to the CTNJF was never passed. Even though it would have addressed some of the concerns of the women’s movement and alleviated some of the suffering of the children, it did not solve the fundamental problem the movement is trying to address, which is the fact that women are not allowed to pass citizenship to their children even when men are. On the other hand, the OTWM had a number of reasons to oppose the suggestion, and even though we can see here that their arguments are not valid, they still were a huge force in preventing the SWR solution from being passed.
Chapter 6

Conclusion

By the Jordanian Nationality Law, only a few cases allow a person to become Jordanian citizen as it introduced in chapter one. A person is a citizen of Jordan if the person was born to a Jordanian father or resided in the territory of the kingdom in 1930. Any person who received Jordanian nationality or passport under the Jordanian Act of 1928 (the first constitution), or who had Palestinian nationality prior to 15 May 1948 and was also a resident of Jordan during the period between 20 December 1949 and 16 February 1954 is also considered a Jordanian citizen. Furthermore, anyone born in Jordan to a mother holding Jordanian citizenship whose father’s citizenship or nationality is unknown or stateless, anyone born in Jordan who has no proven father, or anyone born in Jordan to unknown parents is a citizen of Jordan.

Having a Jordanian mother is not enough to give a child Jordanian citizenship, if the father is not Jordanian. The nationality law discriminates against the female, as it states clearly and directly that a person can obtain citizenship if his father is unknown, or foundling. This law considers the Jordanian woman in this context a baby’s carrier with no right to give her baby identity, even though the street, the soil of Jordan, and a man can give a baby identity, citizenship, and nationality. A child with an unknown father, whether the mother is Jordanian or not, by law is granted full citizenship. In many other contexts, however, a woman is considered a full human and equal to man. The OTWM and even the SWR are both denying the women the
right to be full citizens with full rights. Opposing the woman’s right grant citizenship is another form of keep her under the control of a masculine dominated society. They opposition’s main problem with the demands of the WRTGC movement is allowing women equality and rights, not the political, economic, social, identity and sovereignty concerns they use in their arguments.

The WRTGC movement bases their arguments on humanitarian concerns for the CTNJF, who under the current situation have fewer rights than the refugees in Jordan, and on the Jordanian constitution, which guarantees equal rights for women and men. The WRTGC movement is concerned mainly with the issues for the families of women married to non-Jordanian husbands, but sees it as part of the larger movement for women’s rights as well.

Analyzing the validity of the claims of the OTWM required more information and facts, which will shed light on the situation in Jordan and help bring together the claims of all three groups to create an understanding of the facts behind their claims. The Jordanian Government deal sensitively with any information regarding population, and population ratio between certain ethnic groups in the country. Because of this the Department of Statistics does not announce much information for public use concerning the population in Jordan. For example, the numbers of Jordanian citizens of Palestinian origin, or the number of Jordanian citizen men married to non-Jordanian wives, and the number of Jordanian women married to non-Jordanian men are not publicly announced. Recently, some officials started talking about these numbers to justify certain decisions, related to the movement and its
demand; in January 10, 2014 Zad Jordan, a private news agency, published on its website an article by Mansour M. Al-Hazaimeh, who described the exact population and numbers of Jordanian women who are married to non-Jordanian husband.

Hazaimeh stated:

“Three days ago, Mr. Minister of the Interior, finally revealed the number of Jordanian women married to non-Jordanians. Thus, he has deciphered the puzzle that which had caused fighting between the two sides. Each side manipulated the numbers to serve its own attitudes and interests and draw public opinion to its side . . . No one has been able to see the official number since the statement of President Abu Ragheb, more than a decade ago, when he identified [the number of Palestinians] as 43% of the population.” Hazaimeh

The figures he listed in his article are as following: 84,711 women are married to non-Jordanian men; the number of their children is about 333,844. About 63.30% of them are married to Palestinian husbands, 30.64% married to men of Arab nationalities – Egyptian, Syrian, Iraqis and others. Another 5.18% are married to Western husbands, and only 1% of these women are married to Israeli-Palestinian Arab (or what it is known as the 1948 Arabs). Hazaimaeh laid out in detail in his article all these numbers, along with the percentages for each group. ⁴⁴ What Hazaimeh concluded in his article is that the non-Jordanian Children with their mothers are approximately 6% of Jordan population. Porch

In an interview with Chairman of the Foreign Affairs committee of the House of Representatives, Dr. Said Qashou in Ad-Dustour public newspaper, stated that “regarding [civil rights for the children of Jordanian women, the situation is] not suitable for the time being.” Qashou explained that the timing is not suitable to change the law because the overlapping of the visit to Jordan of the US secretary of State, John Kerry, with the Parliament–Government negotiations regarding the issue of children of non-Jordanian fathers and Jordanian mothers and the parliament’s effort to grant civil rights and temporary passports to them. Qashou said, “unfortunately during the negotiations that came under the auspices of American and great efforts of the Prime minister (the Jordanian P.M) – and the US secretary to find a solution to stabilize the region, the confusion occurred in the Jordanian street that Jordan government and the US are trying to solve the Palestinian –Israeli issue at the expense of Jordan and Jordanian citizens.”

The house Bill draft that the House of Representatives was discussing with the Jordanian government had been submitted more than year ago when a representative, from pure humanitarian stand point, had called upon the government to grant civil rights to those children to enable them to have the right to education, health, mobility, and other essential services. The fact that the discussion of this bill and was occurring at the same time that Kerry was in Jordan caused confusion for the OTWM, making them believe that the Jordanian government was considering a solution which would make Jordan an alternative homeland for the Palestinians. Whether or not any such discussion actually took place, the SWR were not willing to agree to a solution would could possibly have such ramifications.

In my opinion, the opposition was not actually confused, but rather knew that there were two separate issues and chose to conflate them in the public arena in order to attract negative attention to the plan to grant civil rights to NJCJM. Regardless of whether the
opposition, misunderstood the intentions of the government because of the overlap in timing between the visit of the US secretary of state and the Parliament’s negotiations with the government about issuing Passports without citizenship and giving civil rights to children of Jordanian mothers, the opposition took advantage of the situation to turn public opinion against the women’s movement. The opposition, smartly, connected the two separate events to each other, accusing the women’s movement of creating an excuse for the government to solve the Palestinian-Israeli issue at the expense of Jordan, and using the civil rights along with temporary passports for NJCJM to eventually give citizenship to Palestinian refugees. That, in the oppositions’ opinion, will turn Jordan into an alternative home land instead of maintaining the status quo in which the Jordanian government and the refugees demand the right of return. The oppositions took advantage of events in order to convince the public that their resistance to women’s movement is based on their concerns in Palestinian issue and on national security supporting their claim that the women’s right to grant citizenship to their children and / or husband is a national security and sovereignty matter rather a humanitarian issue or a gender equality right.

The real concern for the opposition is that they simply do not want to change, or even adjust, the traditional masculine, patriarchal social structure in Jordan. Women’s rights have been a controversial issue in the region, especially in Jordan; women appear to be equally responsible when it comes to social responsibilities, such as taxations, job duties, rent, fees and others. Jordanian society appears as a civilized, respectful society, until a conflict between women’s and men’s rights appears. For example, honor crime still existed in the Jordanian society until 2001; up to this time Jordanian Penal Code stated that a man who “catches his wife, or one of his close female relatives committing adultery with another

---

47 Palestinian Right to Return- UN Resolution 194 (III)
person, and kills, wounds or injures one or both of them is exempt from any penalty.48 When a man dishonors his marriage relation, an honor crime is not justifiable by law and it bans wives, mothers and sisters from punishing the men. On the other hand, killing a woman who has dishonored or shamed her family is considered justifiable in so-called honor murders. It is very important to point out that honor crimes are not connected to religious beliefs.49 Article 98 of the Penal Code provided that the offense should be considered a misdemeanor; thus the penalty is very lenient in comparison with the usual sentence for murder, which is 15 years, while in the case of misdemeanor it is 3-6 months.50 A woman, on the other hand, according to article 340, would only be charged with a misdemeanor if she killed her husband or his lover during an act of adultery taking place in their marital home, a much stricter regulation. When women’s activists tried to adjust the law to bring legal equality to women officials’ justification of rejecting the request to amend the law was to avoid raising the crime level in the country! Women are not only discriminated against in the case of honor murders; this is just one example among many others.

Another example of discrimination against women is the pension fund for civil servants, which is a fixed amount of employees’ salaries. Pensions are decided according to the financial class, whether the employee is a man or woman. However, this fund is paid to the heirs, such as parents and children, on a monthly basis, in the event of male’s death only; in the case of a female’s death neither her children nor her parents earn the monthly payments, receiving instead only the end of service payment.51

This explanation for the reasoning behind the opposition’s claims is further supported by an article by writer and journalist Khalid Majally, who summarized the

48 Laura smith spark – CNN – June 20, 2013
49 Laura smith-Spark – CNN – June 20, 2013
50 http://www.amnesty.org/en/node/4700
argument in his article “Granting citizenship to children of Jordanian mothers is political issue and not a humanitarian or human rights issue.” In the introduction to his article he puts doubt on the reason behind the movement by stating, “is the reason behind this movement innocent voice from a pure human and legal background, or is it part of the political plan much bigger than what I papers in the Sufic?” He stated also that the total number of the people who would get citizenship under the movement’s demands is about 200 thousand, including children and foreign fathers. He explained that the demographic situation in the Jordanian population structure is very sensitive because the Palestinian population currently comprise about 45 percent of the population, and if the 200 thousand are added that will make the Jordanian from the Palestinian region about 55 per cent.

He maintains that the human rights supporters are trying to make the Jordanian women movement a human right case, while the Jordanian women are just like the rest of the Arab women in the Arab world, and have to follow their husbands’ nationality and citizenship. The situation is very well known even before the women choose to marry non-citizens of her country. However he is very wrong because the Egyptian, Moroccan, and Tunisian women have the right to grant citizenship to their children and husbands, and after the Arab spring the Egyptian women succeeded in gaining the right to grant citizenship to children from a Palestinian father. The writer is either ignorant or meant to mislead the readers, because with the exception of Bahrein, Jordan, Lebanon, and Syria, all the Arab countries grant at least some rights

to children from a citizen mother and a foreign father. (Oman bans both males and females from marrying foreign spouses; it might sound unfair but at least they provide gender equality. The only case where Oman allows a citizen to marry a foreign spouse is in the case of people with special needs - mental cases or disabilities.)

Moreover the writer was not satisfied in representing his opinion and making his misleading claims of facts to the readers. In order to give his claim more legitimacy, he also states that in his personal life as a Jordanian married to a woman from Palestinian origin, it would not be reasonable to demand Palestinian citizenship for himself and his children, and get the right to run for official positions and governmental jobs. By stating that, he is announcing and declaring beyond doubt his superiority as a man over his wife. He mentions that he knows tens of thousands of Jordanian men married to Palestinian-origin wives; if that is the case, then that means the men in Jordan are actively harming for the country’s sovereignty, economy, and politics.

If this is the case, these men are also actively legally and aggressively harming the Palestinian right of return, and evacuating Palestine and attract Palestinians to move to Jordan. The man is the only citizen who has the right to grant citizenship to his children by birth regardless of the mother’s nationality and the only citizen who can grant immediate residency and citizenship to his Arab wife within three years; if the wife is not Arab it takes five years to obtain full citizenship. In what sense would only the woman’s marriage to a Palestinian threaten and create all the complications for the Palestinian nation, and create all the suffering, economic pressure, and
insecurity country. If there were any external or internal harm caused by marriage to a non-Jordanian, then gender would not be the controversial factor here. If that were the case, then marriage to foreigners should be banned, period. In conclusion, the argument about citizenship or Civil right is no more or less than a battle between the masculine mindset against freedom and independency for women.

Based on the analysis of the opposition’s claims about why they oppose the WRTGC, it is clear their arguments are not valid, either because they are not based on facts, or because they are straw-man arguments that are not related to the demands of the WRTGC movement. In conclusion, the real reason the OTWM opposes the women’s movement is because they do not want to change the male-dominated society structure. They do not oppose the man’s ability to grant citizenship to his children and wife. However, despite all the obvious cases of discrimination, the Jordanian constitution states that all Jordanians are equal in the eye of law, even in cases where it disagrees with the Sharia law. For example, under Sharia law, it takes two women in order to equal the testimony of one man, while in Jordanian courts the testimony of a man and a woman are considered equal. There is already precedent for Jordanian to side with the Constitution and women’s rights rather than with the traditional patriarchal society. The supporters with reservations would have a reasonable solution if the arguments of the opposition concerning Jordan’s political, social and economic situation were valid, because they would provide a way to help ease the suffering of the CTNJF and the non-Jordanian husbands without having the possibility of causing problems for Jordan. However, because the opposition’s claim is not valid, the SRW suggestions can only be considered a temporary solution until the women are given the right to grant citizenship to their children and husbands, and may carry with them the danger of being used as a substitute for granting the women’s rights. For these reasons, after all my research, I have come to the conclusion that Jordan should not be convinced by the invalid claims of the opposition that they use to
resist the WRTGC movement in order to maintain the control of the traditional patriarchal society. Rather, it should change the nationality law to give men and women equal rights in granting citizenship to their children and spouses, in order to guarantee women’s rights and equality in the country.
Bibliography

I. Arabic Sources

a. Books


b. Electronic Newspapers


c. Personal Interview conducted

Habashneh, Nemah. Personal communication by email (08, 15, 16 April 2014) - Amman-Jordan,
Khader, Basma. Personal interview (01August 2013) Amman – Jordan
Hattar, Nahidd. Personal Interview (16, 17, 18 July 2013) Amman – Jordan
Ghazal, Marwan Personal Interview (16 July 2013)

d. Media sources

2013. Television.

e. Newspapers
Nahid Hattar, 19 September 2013 “close this file” Al-Arab Alyoum newspaper, 3 April 2013, http://ar.ammannet.net/news/189525


II. English sources

a. Books

b. Websites


HAFEZ, S 2013, 'GENDER AND CITIZENSHIP CENTER STAGE SONDRA HALE'S LEGACY AND EGYPT'S ONGOING REVOLUTION', Journal Of Middle East Women's Studies, 10, 1, pp. 82-104, Humanities International Complete, EBSCOHost, viewed 16 February 2014.
Dr. Amer Alsabailah, 29 July 2012

CIA Facebook. 2013. USA government. 22 Sep 2013.

Business Source Complete, EBSCOhost (accessed March 14, 2014).


Australia: Refugee Review Tribunal, Jordan: 1. What rights of residence do stateless Palestinians have in Jordan? 2. Would a Palestinian having a two year Travel Document, which has expired, be likely to still have a right of return to Jordan? 3. What is the situation of stateless Palestinians without a political profile in Jordan? 4. Is there any information to suggest that a stateless Palestinian Muslim who converts to Catholicism would face ill-treatment by Islamic groups? 5. What access to healthcare and/or hospitals do stateless Palestinians have in Jordan?, 17 November 2010, JOR37694, available at(accessed 02 April 2014): http://www.refworld.org/docid/4df9dfd12.html