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The Provision of Women's Social Welfare Needs in Jordan: Why the State has failed

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The Provision of Women's Social Welfare Needs in Jordan: Why the State has failed.

Submitted by

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Dedicated

To

All women of the Arab World

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ABSTRACT

This thesis answers the question as to how, and to what extent, women's social welfare needs are provided for in Jordan. Using a liberal feminist approach to social welfare policy, and acknowledging the role played by the specific historical and political experiences of states in the developing world, the thesis examines the provision of Jordanian women's social welfare needs by the state in the public arena, by the family in the private arena and by Civil Society Organisations which negotiate the space between the two arenas. The thesis demonstrates that the state has systematically failed to translate constitutional commitments to women as equitable citizens deserving of equitable social welfare provisions into reality. Its symbiotic relationship with traditional social forces has ensured that patriarchal social norms and practices have infused public social policy and created internal contradictions in the legal institutions and processes of implementation. These same patriarchal norms and practices continue to prevail within Jordanian family and tribal life, creating a situation in which women exchange the provision of their basic social needs by the family in return for subordinating themselves to a second-class status of dependency and vulnerability. Civil Society Organisations are similarly constrained by the patriarchal influences within the state, and have developed strategies which acknowledge that women's social welfare provision in the long term is dependent on democratisation processes which build direct relations between the state and its citizens, unmediated by vested tribal interests and protected by the rule of law. The thesis concludes that liberal feminist understandings of women's social welfare provisions as being located within the state-citizenship dichotomy enable us to identify the particular issues arising for developing states in meeting women's needs.

TABLE OF CONTENTS

LIST OF TABLES

INTRODUCTION

The Research Question & Purpose of the Study

This study examines the status of social welfare provisions for women in Jordan. As a modern constitutional state, one might expect the Jordanian state itself to provide a minimum and equalitable level of social welfare provisions for women. In fact, as this thesis will demonstrate social welfare provisions for Jordanian women remain underdeveloped. Despite formal and constitutional commitments to providing for women's social welfare needs (especially in education, health, employment, and legal status), in fact the state's provision is heavily limited by the influence of patriarchal conservative, traditional elites, which themselves provide the structural support for the state itself.

This conservative patriarchalism similarly constrains the provision of social welfare needs of women in the private, family and tribal domains. Women remain discriminated against, controlled by, and dependent on their male relatives, and are deprived of social autonomy and economic independence. Islamic institutions such as the Personal Status laws reinforce and reproduce this social conservatism in both the public and private areas. Between the state and the family, are situated the civil society organizations (CSOs, or non- governmental organizations NGOs) which seek to fill the subsequent gaps in women's social welfare provisions. The extent to which they can assist women remains dependent, however, on the degree to which the state is willing or able to promote broader social change.

The thesis argues that the prospects for this are dim: the same patriarchal influential social components which form the core of the state structure, those conservative, traditional elites, are strongly positioned within the key state institutions which might in theory attempt to introduce such social reform policies. In practice they rigorously oppose any sort of social change which might undermine their own status, using religion (Islam) and tradition as the pretext for their resistance. The result is that the women of Jordan are discriminated against at all levels, in the family, the labour market, and educational spheres – all those areas which might otherwise allow them to develop autonomy, independence and improved socio-economic status.

The question of the study is important because, as a female Muslim social researcher, (albeit one who is secular in her approach to social solutions), I am disturbed by arguments within the Arab region that – for cultural or religious reasons – the status of women cannot or should not be

improved. In common with fellow-feminists who come from many other schools of thought, including Islamist feminism, I would argue strongly – and I believe this thesis demonstrates – that there are not fundamental cultural or religious reasons why Arab Muslim women should not achieve the same developed status as women elsewhere, and that it is therefore incumbent on researchers to show how the political and social structures of a country can and should be altered within the rubric of cultural authenticity. In the current global climate, it is important to show that Islam is not the enemy of women or the cause of the oppression, but rather the political and social structures which seek to reproduce themselves through patriarchal interpretations of Islam. As Haifaa Jawad emphasises "...contrary to the general misconceptions, women in Islam – at least theoretically speaking – are entitled to full rights as citizens. These rights were put into practice during the Prophet's time and in the period of early Caliphate, during which women enjoyed the privilege of fulfilling their private as well as their public duties. ...In other words, it was a healthy society, primarily because women were highly revered and honoured, for they realised that spiritual, material and intellectual progress of a society is closely linked with the position of its women, and that no society which enslaves its women would ever prosper". (1) Thus, Arab women researchers despite the difference in their approaches can agree on the factors and solutions as to what could be best for Arab women and this is of great importance. As they are all attempting to provide solutions to end the oppression of Arab women in the Arab World and enrich the studies that help the coming generations to bring about key solutions to the development of Arab society and women in particular, we can focus collectively on the real problem areas of politics and social organisation as this thesis attempts to do.

The thesis provides a liberal feminist perspective which is based on the argument that the state is the key means for providing women with their social welfare needs. The state's role should be to organise and protect the relationship between the family and the market – between public and private activity. Ensuring that this relationship provides adequately for women's welfare needs is the key factor in enabling women's empowerment. This approach stands in contrast to other feminist approaches such the socialist one which argues that the state is responsible for undermining women's social progress by making them depending on itself. As the thesis will show, liberal feminism offers us the most convincing framework within which to understand the full range of the competencies of the state including the three powers, the legislative, the executive and the judicial ones. Through these, it can bring enormous change to the lives of women when the will exists.

The thesis consequently pursues a methodological approach which focuses then on the role and nature of the state, as the principal organiser of the public realm, and – in contrast – the role and nature of the family in its broadest sense (including the tribe) as the principal unit of the private

social organisation. Standing between these two are the voluntarist associations of civil society, which seek to mediate between state and private realm. Thus the thesis begins with a study of the development and structures of the state, and then proceeds to examine the private and civil society realms in relation to the state.

Chapter one examines the notion of women's social welfare provisions, specifically as it has developed within conceptions of the welfare state. The historical development of social policy suggests a number of possible models for the role of the state in provision, whilst feminist approaches add additional critiques of the welfare state and social policy. By using a liberal feminist critique of a typology of welfare state regimes developed by Gosta Epsing-Anderson, the chapter proposes that the role of the state must be recognised within the context of its relations with other social welfare providers such as the church, civil society organisations, the market and the family, as well as through analysis of the political structures which determine these relations. However, the second part of the chapter acknowledges the need to recognise alternative historical, economic and cultural environments as well, by looking at the comparative experiences of South East Asia and Latin America. This allows us to adapt our definition of social welfare beyond what has historically been the domain of the industrialized Western world. Specifically, it will demonstrate how this has been understood in relation to the state. The chapter will explain the importance of understanding the specific historical development of the (welfare) state, in determining what and how social welfare should be provided and the state's role in its provisions. It is not being argued that Jordan exhibits the characteristics of a welfare state— rather that the existing literature on welfare states offers us some insights into what the role of the state is in terms of welfare provisions in Jordan. The comparative analysis of the welfare regimes in South East Asia and Latin America demonstrate alternative experiences of the developing world, where the state has not historically been a key welfare provider and where family, religious institutions and civil society organizations are more likely to play a key, if not the main, provider role, even today. Finally, the chapter examines the merits of the *liberal feminist* approach to welfare regimes, as opposed to alternative feminist positions. In short, this chapter constructs a methodology based on liberal feminism and focuses on the political attributes of the state in relation to other key social players; this theoretical framework can then be applied to Jordan in regard to answering the central research question of this thesis. In sum, The development of social welfare system in the industrialised Western countries demonstrated that it takes place within the context of political democracy and liberal economic system and how this has been reflecting on the development of a social welfare system that it is based on sharing the responsibilities between the citizens and the state based on the constitutional

rights between females and males without the interference of influential social components forces in the decisions of the state social welfare policies.

Chapter two provides a vision of the political history development of the state of Jordan, its strong ties with the East Bank tribes and significantly how the tribal mainstream cultural affiliation of traditions and conservatism influences the state's social policies regarding women's social welfare needs. It also explains what type of economic system the state of Jordan pursues and how that reflects upon the priorities identified in regard to social welfare policies and decisions at the expense of women's social welfare needs. The political and the economic roles of women of Jordan are a reflection of the political structure of the state of Jordan and its ties to the tribes where women are excluded from taking part in the political decisions, and the economic system which is of privatization that excludes and sharply discriminates against women's in taking any significant role in the labour market. The outcome is that the state of Jordan has developed both political and economic frameworks which do not favour women or the satisfaction of their social welfare needs. Economic development has served the principal function of preserving the stability and security of the state, and the elite's position at its head, rather than an ideological vision of development. Despite a constitutional framework favouring equality of citizenship rights for women, there exists a less formal power-structure which is based on traditional and cultural values and which determines that women should have a second-class status in reality. Significantly, an understanding of the political history development of the state of Jordan and as well as its economic system reflects on the orientation of a welfare social policy, with regard to women's social welfare needs.

Chapter three elaborates on *how* patriarchal concepts embodied within political structures are then cemented within the implementation of social policies of the state of Jordan against women and in favour men. Having defined patriarchy, it illustrates further how citizenship laws affecting the social status of women, particularly in the fields of education and employment, apparently in favour of their equality, are actually subverted by patriarchal incentives that effectively place men in positions of control over women's life. It offers significantly a demonstration that men's power has been reinforced by the state, even through laws which claim to advance the status of women. Men are also permitted a free hand in the private (family) realm as well as in represent the institutional overlap between the public and private realms, specific physical and mental roles and notions are designed for men and women. It supports Suad Joseph's (2) argument that "when women and motherhood are used as icons of the nation, they too frequently become captive to the structures and ideologies of patriarchy, particularly when men and fatherhood are associated with the state". (3) It therefore, enforces the "production of gendered hierarchy and facilitated the institutionalization of gendered citizenship in state building projects". (4) The outcome is that

women of Jordan are discriminated against and exploited in both public and private realms and overwhelmed by cultural attitudes and practices rather than by the force their constitutional rights. Women are fundamentally considered to be less human than men and the state manifests less than enthusiasm to bring about a real change in this situation.

Having established that, despite its constitutional commitments, the state offers women a legal framework which denies them equitable social welfare provisions, the thesis turns to the private realm of family and tribe to see whether such provision is made elsewhere.

Chapter four highlights, the importance of family and tribal traditions in the life and welfare of women in Jordan. Jordanian women's social's welfare basic needs are in effect provided by the family rather than the state, although the chapter demonstrates the limitations again played by patriarchal organisation in this provision. The chapter first examines the family in the Arab context, and then examines more specifically the nature and role of family in Jordanian social life. A key aspect of this is the role played by the larger family unit, the tribe which plays an essential role in both the social and political life of Jordanian citizens. Arguably, the tribe carries two key functions. It shields the family and its members, especially women; and second, it protects the national security of the state of Jordan. This relationship between the tribe and the state is reflected in the way the tribe provides for women's social welfare needs but more importantly on the limitations to that provision. By using the example of tribal support for the tradition of honour crimes, the chapter shows how the tribes have used their position within state structures to resist social change which could have meaningful benefits for women. In sum, the tribe's traditional and patriarchal strength regarding women's social position stems from the state's informal approval of it. Since the tribe is crucial for the national security of the state, there is (relatively) no pressure on the tribe to alter traditional value system which segregate and discriminate against women. Therefore, the relation between the state, family, tribe and women's status is of crucial interests to all parties involved. For women, securing their social welfare needs through either the tribe and family or the state requires acquiescence with a traditional culture which subordinates them and considers them to be less than equal, and which can revoke their rights to provision if they fail to conform.

The limitations of the state with regards to women's social welfare provisions as well as the limitations of the family regarding women's basic social welfare needs, mean that   civil society organizations (CSO)s have taken the role of negotiating between the state and the family to improve and provide women of Jordan with their social welfare basic needs.

Chapter five explicitly discusses the role of the Jordanian civil society organizations (CSOs), in terms of their functions, and the roles they play in empowering women of Jordan and enabling them

to take an active participation in the political and economic spectrums of the state. The chapter develops profiles of a number of prominent CSOs in Jordan and their goals and activities. It shows that, whilst there is a profound awareness of the nature of the challenges facing women in securing provision of their social welfare needs, CSOs are tightly constrained in what they can do by those same patriarchal social attitudes which also feed through into political constraints on civil society. Ultimately, despite their magnificent efforts, they are forced to resort to strategies of being actually or effectively quasi-non-governmental organisations rather than the NGOs they aspire to be. They are able to manoeuvre for gains for women by working within a system of existing political and cultural norms rather than by challenging them outright. Their strategy is increasingly to work for long-term erosion of patriarchal social attitudes whilst achieving small gains in the short-term. Real change, which requires the state to free itself from its political dependence on patriarchal social forms like the tribes, can only take place over generations and through the education of both men and women.

Thus, the thesis achieves its main goal by unveiling and bringing into the light the powerful social forces that are constraining social policy in Jordan specifically concerning the provision of women's social welfare needs. It concludes that the women of Jordan still face tremendous social and economic difficulties as a consequence of an un-developed political system where informal power structures which preferentialise men, infuse and even subvert formal political structures which claim to aspire to gender equality. This signifies the absence of meaningful democracy and equitable social rights, despite the constitutional claims of the Jordanian state, and without that meaningful democracy – in other words the exclusion of informal political influences, as well as formal conservative and tribal influences, women have little chance of achieving more than incremental gains in the provision of their social welfare needs. The thesis therefore demonstrates that the literature on social welfare states referred to in chapter one was fully justified in asserting the importance of democratic political experience in determining the social policy of states.

The thesis pursues a predominantly qualitative methodological approach, not least since gathering fully representative statistical data would be both practically impossible for the researcher but also most likely too politically sensitive to be allowed. Where statistical data is available it has been drawn upon, although the reliability of statistics based on government-provided data must be questioned at times. A qualitative approach was considered more suitable to developing an in-depth understanding of the experiences of women in Jordan, albeit necessarily a limited sample of women. This interpretive methodology means that the liberal feminist framework may interpret data differently from alternative frameworks and may therefore be contested, although the thesis aspires to present a conclusive argument.

This thesis has been a prolonged effort conduced through "part-time" research whilst the researcher was also fully employed. Whilst this means that much of the primary data collection was carried out between 2005 and 2007, and may therefore be considered not entirely contemporary, I would argue that, as well as seeking to introduce more immediately up-to-date data where possible, the thesis provides a rather longer-term "window" on women's experiences than might otherwise have been the case and in doing so demonstrates precisely how little has changed over that time.

In writing this thesis, I have tried to offer a re-thinking of the current social policies regarding gender and women's provisions in Jordan, moving away from the descriptive approaches which focus on either government statements and statistics, or alternatively the social conservatism of family, tribe or religion. This thesis examines social welfare provisions in a more rounded way which is inclusive of the range of providers, state, family and civil society organisations, examining the roles of each and their relations with one another. I believe it fills a gap in the existing literature on women's social welfare provisions in Jordan and contributes to a broader understanding of the role of the state in non-democratic political systems in meeting (or failing to meet) those needs.

INTRODUCTION

ENDNOTES

1. Haifaa Jawad, *The Rights of Women in Islam: An Authentic Approach* , (Basingstoke, Macmillan Press Ltd, 1998), p 97

2. Suad Joseph, 'Gender and Citizenship in the Arab World', University of California, Davis, Concept Paper, United Nations Development Program/ Maroc 20/20 , Mediterranean Development Forum, Amman April 8, 2002

3. Joseph, 'Gender and Citizenship in the Arab World', p. 5

4. Joseph, 'Gender and Citizenship in the Arab World', p. 5

CHAPTER ONE

The Social Welfare State: Concepts, Literature & the Case of the Third World.

1.1. *Introduction*

The first undertaking of the study concerns the construction of a conceptual frame of reference through which we can understand the state's role and its importance in providing for the social welfare requirements of its citizens, and in particular of women. To do this, a number of questions must be addressed. Firstly, what are the social needs and requirements of women? Secondly, how is the state involved in providing for the welfare of its citizens, and particularly in terms of women? How significant is its role and who or what determines the nature and extent of the role that the state plays? What impact do the political structures and the nature of the state (including its welfare provisions) play in the lives of women? How does the state devise, implement, and enforces its policies and how significant is the state's provision relative to the private provision of women's welfare needs?

In order to answer these questions, it is necessary to determine a theoretical framework which allows us to understand and contextualise the nature of the state in Jordan, the relationship between the state and its citizens, the status of women in this relationship and within Jordan more generally (including their rights and responsibilities), and the social welfare obligations of the state. There is a need to determine what women's welfare needs are, and how and to what extent they are being met. Thus a discussion of the literature that examines the state role is warranted. The literature must examine theoretical discussions relating to the making of social welfare policy more widely and, in particular, the nature, role and impact of the state on the lives of its citizens.

Defining social welfare has historically been the domain of the industrialized Western world. Specifically, the chapter will demonstrate how this has been understood in relation to the state. Based on Gosta Esping-Andersen's book, *The Three Worlds of Capitalism*, (1) the chapter will explain the importance of understanding the historical development of the welfare state in order to determine how social welfare and the state's role in the provision of it can best be understood. It is not being argued that Jordan exhibits the characteristics of a

welfare state — rather that the existing literature on welfare states offers us some insights into what the role of the state is – or might be - in terms of welfare provision.

Andersen's model of *welfare regimes* further enables us to categorise particular forms of welfare provision, again bringing the state to the center of the debate. This model will be critiqued from a feminist and non-feminist perspective in order to demonstrate how important the *perception* of women's needs is in determining what role the state should or does, in fact, play. One crucial aspect of this evaluation is our understanding of the relative functions of the public and private spheres in determining and meeting women's needs.

The first part of this chapter elaborates on the experience of welfare state and its definitions, welfare regimes, ideologies relevant to welfare, and welfare provisions in the industrialized world. The second offers the alternative experiences of the developing world, where the state has not historically been a key welfare provider and where family, religious institutions and civil society organizations are more likely to play a key, if not the main, provider role, even today. The chapter draws on comparative analysis of the welfare regimes in South East Asia and Latin America to demonstrate this point. This discussion allows the researcher to do two things: firstly, to define the nature of the welfare state, its specificities in terms of its history and structure, and its relationship to other key providers in society comes to the fore of the research framework. Secondly, any researcher should identify deficiencies in the main body of literature on welfare provision which arise from the fact that most literature on the provision of welfare is dominated by the experience arising from the developed world. Thus researchers should bear this in mind when applying current welfare theory to the experience of countries in the developing world or to countries whose economies are in transition.

Finally, the first part of the chapter examines the merits of a *liberal feminist* approach to welfare regimes, as opposed to alternative feminist positions. In short, this part constructs a methodology based on liberal feminism and focuses on the political attributes of the state in relation to other key social players; this theoretical framework can then be applied to Jordan in regard to answering the central research question of this thesis.

A crucial point that should be made is that the concept of the welfare *state* as it has developed in Western industrialized societies should be distinguished from the concept of the social welfare *regime.* A welfare state, as it will be shown, may only be understood as a product of the unique historical development of the national state itself. It is, in sum, a form or category of the state defined by the perceptions of its role and functions. A *social welfare regime* is the system of social welfare provision offered by the state. The differences between

various social welfare regimes can be accounted for by the relative extent of the state's role compared to that of other welfare providers such as the church, family and non-governmental organizations (NGOs). In this respect, the *role* which the state is expected or able to play relative to society as a whole is crucial in determining the social welfare regime with which it is identified. In order to answer the main question— *What role does the state play in providing for women's social requirements in Jordan*? —we thus need to start by examining what social welfare regime it claims to have, why and under what constraints it must operate within the context of the nature of the Jordanian state itself and its relationship to society as a whole.

1.2. *Defining the Welfare State*

The *welfare state* has been defined from a number of perspectives, most notably by social theorists and economists. There has thus far not been one consistently agreed-upon definition. Definitions have been dependent upon a variety of considerations: the degree of economic development, the political structures of the state, and the historical period that is being examined. Moreover, neither economists nor academics in the field of social policy have been able to agree entirely on what the state should or should not provide, irrespective of whether it has the economic means to offer welfare provision.

However, the concept of the welfare state depends essentially on the notion that the welfare of any country's citizens should be guaranteed and protected to a greater or lesser extent from economic and social disruption by a set of legal propositions and means of economic relief, and that the state should play a key role in determining and implementing the social policies which make this possible. Other social providers, such as the family, the church, or NGOs will also play a role, but one which is subordinate or subsidiary to the role that the state plays.

This notion is not uncontroversial. As it is evident in Andersen's clustering theory of welfare states, (2) it is a notion primarily relevant to the advanced industrialized societies. Societies in which actors other than the state play a key role in the provision of social requirements cannot be classified as operating *welfare states*. Moreover the limitations which inhibit states from assuming a key role in social-welfare provision are not considered by such definition of a welfare state. Robson (3) offers a more nuanced definition. The term of welfare state is used to indicate a situation in which the state bears the "responsibility to nurture welfare of being". Robson argues that the welfare state is "a form of society characterized by a system of democratic, government-sponsored welfare … offering a guarantee of collective

social care to its citizens, concurrently with the maintenance of a capitalist system of production". (4) For Robson, "the state in effect determines the form of the economic and social structure of society". Indeed, "the use of word 'state' is an acknowledgement of the active part played by the state in the social sphere". (5) In short, Robson's definition reflects the fundamental role of the state in ensuring the welfare provisions of the citizens *within a democratic context*.

The importance of a democratic context is also emphasized by Eisenstaedt and Ahimeir (6) in their more economically oriented definition. They define the welfare state within the context of "economic surplus". They argue that the development of the Western welfare state is largely linked to a combination of democratic and capitalist developments. In their view, a welfare state is based firstly on "the economic surplus produced in the capitalist market of economy and that its structure must be adapted to the basic laws governing this economic system". (7) Secondly, it is based on "the political consensus produced in the democratic mass polity, and its structure must reflect the basic nature of this consensus". (8) In short, this definition highlights the importance of the role of the state in organizing the relationship between the political will based on the vote of the majority and the distribution of the economic surplus.

Andersen's definition of the welfare state also brings together the economic and political realms. It stems from the position that a welfare state cannot be understood just in terms of the rights it grants; rather it should be seen in terms of "how state activities are interlocked with the market's and the family's role in social provision". (9) In a sense the welfare state is an active force in the ordering of social relations. Andersen further argues that only a democratic means of governance and a capitalist mode of production can play an appropriate key role in social-welfare provisions. The welfare state is in this respect means "a form of a state in its own right".

Kaufmann (10) stresses that the *welfare state* is not the exclusive domain of the state: indeed, the "term of welfare state must not be confined to the state only but it includes the civil society". He argues that "a theory of a welfare state has to take into account the interactions among household production, market production and associative forms of welfare production, on the one hand, and political interventions on the other". (11)

Marsh meanwhile (12) argues that, in a welfare state, the state's role is not only to ensure a "high material standards of living for all", but also to intervene to secure the provisions of health, education, social insurance, and income distribution. (13) Between them, Kaufman and Marsh put forward the idea that the welfare state is not only about

organizing the relationship between the citizen and the resources of the national economy, but also about playing a key role in the provisions of health, education, and social security, and that the provision of these social goods is the responsibility not only of the state but also of civil society and the family.

Rose's goes further. (14) He argues that "the state is not the chief institution to which most people turn for their welfare even though the major family concerns identified by opinion surveys-employment, health, education, and income are the subject of public policies. When people are asked who can help them most to deal with their problems, the great majority look to their own actions, to other members of their family, or to friends and neighbors and not to the state" (15)

Finally Marshall (16) made a linkage between citizenship on the one hand and key civil, political and social rights on the other. For him, without recognition of, and respect for, these key rights, there is no welfare state. This suggests that societies which develop and respect those three key rights within the framework of constitutional law may be, by definition, welfare states.

What these various definitions have in common is that they reflect the material and political experiences of welfare states as they have emerged in Western industrialized societies where the regulation of economic life by the state, combined with democratic political rules and recognition of social rights of all its citizens, underpin a powerful, institutionally strong state with a capacity to orchestrate social policy (a point which will be taken up later).

Historically welfare states have developed out of an historical process of social policy formation. Historical events and dynamic social forces led to the emergence and consolidation of welfare states in the Western industrialized states, and the achievements of today's welfare states have their roots in the past. The next section of this chapter considers the development of social policy and its translation into the welfare state to see what more can be learned about the welfare state itself.

1.3. The Historical Development of Social Policy

Social policy, as Marshall explains it, is that "policy of governments with regard to action having a direct impact on the welfare of the citizens, by providing them with services or income." (17) Thus, social policy by and large seeks to provide the economic support, health, education, and social services for the citizens in order to ensure their welfare. The

aims of a social policy are to overcome poverty, "the maximization of welfare and the pursuit for equality". (18) Social analysts concede that social policies are not always adequate and perfect. Social policies may, in effect, reduce the level of poverty and achieve better opportunities. Government has in reality only limited power and therefore the objective of social policy is in fact usually the more limited goal of "the improvement of the condition of life of the individual." (19) However, from the late nineteenth century until the 1970s, social policy developed according to a range of various political ideologies and went through a number of identifiable "stages", the culmination of which may be said to be the welfare state. Vic and Wilding have identified six welfare ideological "positions" on social policy in which they assert that ideological debates have played a part the growth and the nature of the welfare states in shaping the modern welfare state. (20) These ideologies are as follows: "the new right"; "the middle way"; "democratic socialism"; "Marxism"; "feminism"; and "the "Greens". (21)

The New Right: War & Industrialization Presuppose Social Policy

From a "New Right" perspective, war and industrialization are considered to have been the key determinants of social policy. (22) This approach argues that the combined effects of wars and industrialization have forced the state to act at the social level. The lives of the working classes had to be improved as a preventive measure to maintain public order and political stability through transformative times. Nonetheless, the New Right rejects the view that the market and/or the government are themselves responsible for the ills of society. For them, if the state were to provide citizens with all the requirements of their welfare, the majority of the citizens would become dependent. Instead, they believe that individuals hold the primary responsibility for managing their lives, while the market economy will provide the conditions for promoting their economic welfare. Promotion of individual responsibility and the market economy are stressed as the basis for a social-policy framework, with the state taking a minimalist and "safety-net"-type role in welfare provision. Rather, the private sector is, in their view, the appropriate major provider of social provisions (i.e., health, education, and social benefits/pensions). The welfare state in the United States of America is offered as a prime example. In this respect, the state only intervenes in the market to protect the most economically needy or socially vulnerable citizens.

Pierson (23) provides an example of this approach to the welfare state in the body of existing literature on it. He argues that industrialization and the development of the capitalist mode of production were the key forces that triggered the development of social policy and

the ultimate formation of a welfare state in the United Kingdom. He regards Sir Williams Beveridge's report on social insurance on the unemployed, illness, old age and disability in 1942 as the specific starting point from which the state began to play a key role in three areas. The first, and directly as a consequence of Beverage's report, was the introduction of a system of social insurance. The second was the "the extension of citizenship and the depauperization of public welfare"; and the third was in the growth of social expenditure". (24) The combination of these three measures led to the notion that the state should develop "national prosperity and be responsible for the labouring poor (who are deprived by the conditions of the labour markets) as a source of the national health". (25) The state's intervention, according to Pierson, created a relationship of "duties and rights". (26) Pierson has identified the early approach to welfare provision which underpinned Britain's early social policy. For him, the combination of the industrial revolution with the political revolutions in France and America (in the 18th century), and the "extension of democracy" in Britain (in the late 19th and early 20th century) together created the logic and dynamic behind these early social policies. (27)

Flora and Heidenheimer in support of Pierson have similarly identified these forces: they convey that the formation of national states and their transformation into democracies after the French Revolution; and secondly, the "growth of capitalism", led to

> ….a great phenomenon of modernization-as a product
> of the increasing differentiation and the growing size
> of societies on the one hand and of processes of social
> and political mobilization of the other. (28)

Yet while early social policies were fairly limited in scope, the New Rightist idea that they should remain so has not gone unchallenged. Feminists oppose to this unsatisfactory explanation, since women are not identified as vulnerable *per se* and there are few state interventions to protect them. Women are the victims rather than beneficiaries of a welfare state based on this ideology when they are forced to combine entrenched social roles as mothers and homemakers with wage labour in an unprotected and competitive environment. The *New Right* school of thought suffers from a number of limitations. It creates privileges for the more powerful groups in the society, especially those who own the resources in the capitalist market (which could be the state itself and its apparatus). Without the intervention of the state to redress imbalances, such as educational and gender differentials, the poor will remain relatively poor, and the less privileged will remain so.

The Middle Way: Market Presupposes Social Policy

Perhaps a more pragmatic approach to social policy, this approach considers the market to be a desirable but fallible mechanism for provision of social requirements. When the market fails, it causes both misery and social instability. Social policy is used to restore and maintain social stability and alleviate the misery and hardship. For advocates of *the middle way*, the welfare state

> … is a natural product of the relationship which develops between people and the state in a democracy. The state needs loyalty; voters want – and need - benefits and services. Loyalties have to be won; authority has to secure legitimation and respect. There has to be a partnership between state and people because 'if the state is not interested in them, why should they be interest in the state. (29)

In effect, the *middle way* ideology believes that capitalism can be more efficient in gaining more economic ends and in "generating economic growth" than any other system; but the capitalist mode of production and the free market may not always protect all of the people all of the time. The government has the resources and power to intervene to adjust or make up for market deficiencies. In this sense, the state has an important role to play in formulating and implementing social policy. Marshall's contribution reflects the conservative "*middle way*" ideology of social policy. His argument that social welfare includes three major human rights is of immense importance. As stated previously, these rights are the following: civil rights (the individual's right for freedom of speech, thought, and faith; to own property and to receive justice; political rights; and social rights. According to him, the key aim of social policy is to achieve equality and abolish poverty. This comprises:

> the whole range from the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilized being according to the standards prevailing society. (30)

Marshall's view is that "welfare is a compound of material means and immaterial ends". Yet crucially he maintained that,

> … collectivist social services contribute to the maintenance and enhancement of social welfare so long as such interventions do not subvert the operation of the system of competitive markets. (31)

Marshall supports what is essentially a mixed economy, in accordance with the *middle way* perspective. For him, both private and public sectors are required to deliver social provisions. For an advocate of the "*middle way*", the state is required to provide health, education, and social security for those citizens who unable to pay; the private sector cares for those who can afford to pay. Britain is currently the example of a "*middle way*" welfare state. A system of means testing underlies many social security benefits; private health care is available while a national health service (with restricted resources) is available on a universal basis. Education is equally provided by both public and private sectors. Like health, it too is universally available, although choice in services is frequently restricted to the private sector.

The *middle way* approach includes the vital limitation that society is divided between those who can afford services and those who cannot. The state may even run the risk of widening the social gaps between income groups if its social policies are insufficiently sensitive or nuanced. For feminists, this approach divides women by class and social status, further disempowering them. The still limited role of the state allows entrenched social and cultural impediments to their attainment of those civil, political, and social rights to persist.

Democratic Socialism: The Role of the State is a Key

The *democratic socialist* approach to social welfare argues that the state has a fundamental role to play in offering universal social welfare provision. Advocates of this approach contend that the market cannot and should not meet the needs of all the citizens. Everyone should have these needs met, with the state taking the role in redistributing resources in order to facilitate this. Only the state can ensure equality of access to essential services, and a "fair" and equitable distribution of financial resources to protect citizens from poverty. Education plays a particular role in facilitating social mobility and ensuring equal opportunities. The aim of social welfare policy is to reduce the distortions of the free market manipulation. The social policy key goal is not a total abolition of poverty in the immediate term, but the maximum prosperity for all. Titmuss contends that :

> The challenge that faces us is not the choice between universalist and selective services. The real challenge resides in the question what particular infrastructure of universalistic services is needed in order to provide a frame-work of values and opportunity bases within and around which can be developed acceptable selective services provided, as social rights, on criteria of the needs of specific categories, groups and territorial areas and not dependent on tests of means? (32)

Democratic socialism argues that *market socialism* is the appropriate means by which the aims of social policy may be met. The market socialism appears to be favored among the two others. "Its central claim is that the economic system of *democratic socialism* is plural in nature: some enterprises should be owned by the state, others privately, others cooperatively, others jointly between capital and labor but the emphasis should be on worker's co-operatives and worker's participation"; (33) but, the worker remains the focus of welfare provision. Ironically, this approach emerged out of two contradictory experiences; the centralization of social welfare provisions as was witnessed in the Eastern European countries after World War II, and the recognition in some parts of Western Europe that an unfettered capitalist system can be de-humanizing and can fail to provide adequate social welfare to its citizens. In both cases, the role of the state in social welfare provisions became central, with the Scandinavian countries becoming the most notable examples of this form of welfare state in Western Europe.

Democratic socialist welfare states have much to offer women, not least because social welfare provision is universal, not gender-based. For example, the notion that men and women have equal rights as workers has been translated into significant day-care provision for children, encouraging women to enter the labor force and to subsequently receive the rights that accrue from employment (such as pensions, health insurance, etc). While such states have been described as promoting *state feminism* in so far as the state is able to over-ride embedded social conventions of discrimination, they have also been criticized for creating a dependence of women on the state for their protection and a subordination of women to the state itself.

Marxism and Greenism:

These ideological perspectives perhaps have less to offer us in terms of practical implications for the welfare state since neither has played a particularly significant role in determining the modern welfare state. Marxist social policy is very much related to the disappearance of capitalism and seems barely relevant to those welfare states that do exist. In theory, Marxism considers the welfare state, in so far as it has developed in the capitalist industrialized West, to be a means of socially controlling human beings and in particular, the working class. The state itself is a tool of the dominant political class (or indeed becomes a class in and of itself), the purpose of which is to preserve the prevailing exploitative economic relations which enable it to prosper at the expense of the workers. (34) Social policy is, therefore, seen one of the political mechanisms whereby class divisions are sustained. The

Green approach, on the other hand, and according to George and Wilding, (35) contends that the welfare of the human being is dependent upon a clean and sustainable environment, rather than upon economic growth alone. When economic growth is harmful to the environment, it becomes undesirable, with the search for alternative "green" means of protecting social welfare becoming the priority.

1.4. The Feminist Response & Critiques to the Welfare State

Since the subject of this thesis is welfare provisions for women, it is appropriate here to refer to feminist understandings of the phenomenon. The liberal feminist approach to the welfare state is largely positive: it stems from the belief that "the welfare state is an approach to organizing economic and social relations which can be and has been used by women to reduce inequalities and contribute to the development of a more sympathetic public opinion."(36) Liberal feminist ideology sees that the welfare state, with its policies of equal pay and legislation prohibiting discrimination based upon gender, uses social security systems as a way of indicating that the political system seeks to combat gender inequalities. In effect, liberal feminists argue that the welfare state gives opportunities to women to use their "economic and social rights" to address their own requirements. (37)

This view is disputed by radical and socialist feminists. They argue that the state, as a male-dominated structure, is not in a position to empower or improve the welfare of women. Rather it reinforces the traditional division of labor in the family and institutionalizes it in the public sector in regard to employment and opportunities. More importantly, the male is formalized as the head of the family and the principal breadwinner. From this perspective, the welfare state exaggerates the polarization of society between men and women, with undesirable social consequences. It actively undermines efforts to develop a society that promotes gender equality. Contrary to that, the state is in control of the basic resources. The government has the tools and equipments to fulfill its social responsibilities. Social provisions of citizens involve "the state responsibilities for securing some basic modicum of welfare for its citizens" (38) In this regard, citizens can use the constitutional means to demand for equal opportunities of employment and equal treatment of social benefits as well as improvement, modification and changes to the unjust provisions. In this context, the state in the liberal feminist view is of importance to the welfare provisions of women. In sum, social provisions must not be left to the church, or the only the NGOs with their limited sources and means.

Sainsbury's (39) perspective reflects her own position regarding the welfare state's key focus, which is the "economic development, stratification and the state institutions" with

regard to gender relations. Sainsbury argues that women's relation to the welfare state is one of being dependent and socially controlled. Her key concern and the question she poses is what the state welfare provision means for women? Is the state's aim to empower women or the contrary? She questions whether, if women receive benefits, are this in their interests and does it empower them, or does it keep them dependent and subordinate, albeit to the state instead of to male relatives?

The liberal feminist endorsement of mainstream notions of the welfare state can be further challenged in so far as it fails to deal with societies which have different historical, political, and cultural experiences and contexts from those experienced in the industrialized West.

Feminism has brought the consideration of gender into discussions over the role and nature of the welfare state. In a sense, however, George and Wilding argue that feminist analysis has not been so much concerned with the welfare state as with the role of the state in general in addressing gender-based differentials. (40) Feminism seeks an improvement in women's lives and status in both the public and private spheres and it has had to respond to both capitalist and socialist environments, as well as diverging cultural and ethnic/racial societies. As such, it has developed a number of "strands" or ideological paths, although its practical concerns have generally remained the same: social welfare provisions for women such as day care, pay for domestic work, equal opportunities, equal access to services, welfare payments and equal social security, and so on.

 Four main feminist approaches regarding the role of the state and the functions of the welfare state are elaborated here. They are as follows: socialist feminism, radical feminism, black feminism, and liberal feminism. While each is elaborated upon briefly below, it is worth stating at the beginning that they generally all include an element of contradiction. (41) On one hand, the welfare state is viewed positively as encouraging women to enter into public life while; on the other, it is constantly criticized for weaknesses in regard to its "service provision". Feminists accept the welfare state as a means for improving women's lives, but criticize it for a continued failure to match the standard of provisions for women with those for men, thus maintaining the differing statuses of men and women in public life. In this regard, the feminist account of the state is that it is either intentionally maintaining male domination or inadvertently keeping women in an inferior position. The different ideological trends explain this outcome in different ways.

Socialist Feminists argue that the role of the state in the welfare system regarding women is a form of "patriarchal capitalism". The capitalist economic system benefits hugely from women's unwaged labor at home. Furthermore, where women are in paid employment, it is clear that this subordinate position is maintained in the public sphere. Women are positioned in the low paid manufacturing and service jobs. The capitalist economic system, it is argued, assumes that women are not the primary wage-earners and the male, as the family "breadwinner", is therefore the focus of their social policies and social welfare provision. Women have a primarily domestic function and, without comparable income or public status, are reduced to dependence upon and supervision by their male partners. Radical feminists go further, suggesting that the state—dominated by men for men—is antagonistic to women in general. For them, women require social welfare provision which is determined and run by women, for women. Society becomes polarized, and with it the role and functions of the state. Arguably, radical feminists are guilty of the same approach for which they criticize men: a biological determinism which can be viewed as narrow and short-sighted. The social welfare needs of women need to be addressed as a priority within a context that reduces rather than exacerbates gender differentials and antagonisms. The black feminists see "the state as part of the social and gender control apparatus of a male, racist state". (42) The black feminist struggle is on two fronts: first, it is against the "white" state and second, against male domination of the state and its apparatuses, both of which reflect broader social divisions. Historically, they view the welfare state as having developed under the influence of "white" racial domination, which has its own impact upon black women, let alone the dominance of male interests.

The Liberal Feminist position suggests that the state is a "neutral, disinterested arbiter open to the influence of sweet reason and political pressures". (43) For the liberal feminist, the state can, therefore, be influenced to negate or overcome the discrimination against women and their interests which is generated from within society as a whole. The liberal feminist requires that the state pay attention to inequalities in the public sphere, in the belief that—when these are eradicated through policies promoting equal opportunities and equal access to income—women will be empowered to assert their own equality in the private realm. As such, the welfare state is the means by which the state can redress social imbalances. This requires identifying women's specific needs and requirements and their particular vulnerabilities, and then devising social policies accordingly. The main limitation of liberal feminism may be said to be its focus on the improvement of women's position in the public rather the private

sphere. Neither the mainstream nor the feminist definitions of the welfare state came out of nowhere. One can argued that, without an improvement in women's domestic life and position, they will be unable to fully realize the opportunities presented by equality in the public sphere. However, identifying welfare regimes helps to further our understanding of the importance of the role of the state that versus other social actors such as the family and the church.   .

1.5. Types of Welfare Regimes: Titmuss's Type of Welfare Regimes

The literature on welfare regimes offers further clues on how to approach the research question. Most importantly, it indicates that the state is one of a number of key social actors in providing social welfare, which also include the family, the market, non-governmental organizations (NGOs), and so on. To understand the role of the state, one has to compare its role to the other social actors. Secondly, social regime provides information about the extent of the state's coverage (that is, whether it is universal or limited). This helps to understand what the role of the state and its responsibilities regarding social welfare provision. Watson writes that Titmuss (44) suggests three types of welfare regimes based on his reading of the social illnesses of a respective society and the role of the state to abrogate them.

The Residual

Here the key social provider is the market. Social provision is dependent on market performance with the state taking only a very limited role. It provides short-term social welfare provision in times of acute crises, focusing mainly on the poor and the very poor. It is a sort of remedial method for ameliorating crisis, Sainsbury argues. (45) The family and the market are considered to be the "natural" providers of welfare, and reliance on the state's provision should be short-term only.

The Industrial Achievement Performance Model

This model speaks for itself. It provides a minimum of social security. Public provision is considered as complementary to the market economy, Sainsbury writes. (46) It suggests that the citizen's welfare provisions depend on his or her performance in the labour market: the better an individual performs, the better provisions and social security he or she receives.

The Institutional Redistributive Model

This model concentrates on allocating limited resources and spending them on the most urgent cases using means-treated models. Titmuss names it, Watson writes the "command over resources through time", (47) suggesting that this method would achieve equality.

Titmuss' basic concern is poverty, Watson states. Watson explains what Titmuss means regarding the above mentioned model that he sees that the advancement of industrial society produces undesirable social changes, with the most vulnerable segment of the society paying the greater cost. Rather than viewing the market as a social welfare provider, he sees it as creating inequalities and stigma. Social policy must address the undesirable conditions created. In short, he argues that social policy must adapt to this and other social changes. In particular, he identifies the impact of social change on the family structure as materially evident, with welfare regimes consequently having to target its defense of the family. Watson identifies this aspect of Titmuss' work as a strength, offering the most "fascinating account of the relationship between social policy and social life". (48) Watson states that,

> … to understand policy … we have to see it
> in the context of a particular set of circumstances,
> a given society and culture, and a more or less
> specified period of historical time. In other words,
> social policy cannot be discussed in a social vacuum. (49)

Brain. Abel-Smith and Kay Titmuss (50) similarly praise Titmuss for seeing the depth of the impact of social programs inequalities and causalities on society. They contend that the social regime should " be defended in terms of the principles of societal responsibility and the responsibilities of building a more caring society; it should be changed to be more useful, less bureaucratic, more effective, more egalitarian. They see that Titmuss called us to a grand vision of what a society could and of the contributions that social policy could make towards the realization of that vision".(51)

Societal responsibility, or solidarity, is also key to Titmuss' vision of a welfare regime. He expressed a concern for developing countries that, as they witnessed the growth of the market as the key social welfare provider, so they would lose the social solidarity that offered most people basic social support. Jane Lewis (52) suggests this may be a weakness in Titmuss' analysis: his vision of the market and the state as the two poles of provision ignores other vital social welfare providers in industrial societies. The family and the voluntary sector are ignored in his studies. Lewis also points out that Titmuss' perspective on gender is limited. He treated women from the rather limited point of view that they are mostly employed by the state institutions, but receive little attention to their social needs by the state. Contrary to the reality of his time perhaps, he assumed that the male was the major breadwinner in the family. His concern thus focused on issues such as support for working and, particularly, single mothers.

More importantly, Titmuss's type of welfare regime is limited to the historical Western social welfare experience, with no reference made to alternative cultural environments. Iman Babers, (53) an Egyptian sociologist and feminist, conveys her perspective from a Third World and a developing country's welfare experience such as Egypt that the Egyptian welfare regime and women's position are a reflection of how Third World countries deal with women regarding social provisions. Her critique of Titmuss's model mentioned earlier, stems from the idea that his analysis of welfare regimes ignores the fact that they all, in effect, make women more dependent on men's income. Titmuss himself sees no other provider than a male provider. Her answer to this narrowness of Titmuss's analysis is that women do not have the same rights of access to the labour market as men. As a result, their work is basically part-time, and the disadvantage of this is that it lessens their opportunity to social insurance. Therefore, women are often confined by circumstance to the informal sector. They do not enjoy the right to maternity leave, pension rights, or other social rights as full citizens as Titmuss assumes. She demonstrates that,

> Such inequalities are more pronounced in the Third World countries as more women are employed in the informal sector which is, by definition, excluded from social insurance programmes. (54)

Nonetheless, Titmuss at least puts forward the notion that social policy is adaptive to changing circumstances and that there are a range of possible welfare regimes, an idea advanced by the work of Andersen.

Gosta Esping-Andersen's Typology

Andersen is a controversial social scientist, well-known for his writings on the welfare state and welfare regimes. Through a series of publications, he has developed a typology of welfare regimes which is ultimately inclusive of the experiences of non-Western states and which accounts to some extent for gendered questions to be discussed. This makes it an essential attribution to both the question and the answer of the study on which the role of the state is by large a key importance for provisions of women's social needs.

His first attempt in 1990, *The Three Worlds of Capitalism*, suggested three major types or *clusters* of welfare regimes, as evidenced across 18 welfare states in the industrialized advanced countries. Anderson argued that, during the first two-thirds of the twentieth century, the market has become the focus for the development of different regimes of social protection. Within this context, the market was considered the fundamental protector of the

individual from risks such as "unemployment, sickness and old age". The state and the family were considered secondary providers, as Ellison points out. (55) Andersen distinguished three key clusters of social welfare regimes which reflected the subsequent "institutional arrangements, the associated political infrastructures and the patterns of stratification associated with the distinct forms of social governance". (56) Political arrangements are fundamental to Andersen's analysis.

> As we survey international variations in social rights and welfare state stratification, we will find qualitatively different arrangements between the state, market and the family. The welfare - state variations we find are therefore not linearly distributed, but clustered by regime-type. (57)

Daly and Rake contend that Andersen's model of clustering illustrates that the formation of social policies and the strategies are not only diverse, but crucially adapted to interests of significant political actors. (58) Borchorst (59) states that Andersen's work is a rejection of the "functional theory view" that the welfare state is a product of industrialization processes. Rather, it is a power-resource model pinpointing effectively the interests of a particular political group. As Andersen concludes: politics matters and that "the history of political coalitions is the most decisive cause of welfare-state variations". (60) Andersen broadly clusters the welfare regimes of the 18 welfare states into three key regimes regarding the extent of the state role in its welfare provisions for its citizens men and women. These are "the liberal, the conservative or a corporatist, and the social democrat".

1. Liberal Welfare Capitalism

Examples of this regime are the Anglo-Saxon countries: the United States of America, the United Kingdom of Great Britain and Northern Ireland, and Australia. Where a liberal regime exists, the state encourages the market on two fronts. On the one hand, it *actively* subsidizes private welfare schemes: more *passively,* it offers only very limited social welfare schemes, one which is targeted at the most needed members of society and on a means-tested basis. Social rights are limited with "little distribution of incomes". It is, in effect, "characterized by a low level of decommodification". (61) "De-commodification" is understood to mean that the outstanding criteria for social rights must be the degree to which they permit people to make their living standards independent of pure market forces. W. Arts and J. Gilissen argue that this type of regime encourages the polarization of the society (62) with two distinctive groups emerging; a state dependent minority and a majority that is

privately insured. Women receive little attention from the liberal welfare regime. Their status is defined by the traditional family-based sexual division of labour. When women work outside the home, they are encouraged to work in the service and lower-paid sectors, as Arts and Gelissen point out. The outcome is that women receive less income, fewer social security benefits, and lower social insurance. More importantly, they become heavily dependent on their male family members to support them. Moreover, with no institutional measures in place to assist women in countering traditional social prejudices and obstacles to formal employment, there is always the danger that women's employment will be concentrated in the informal sector, which lacks all social protection and social insurance.

Andersen argues that the liberal welfare regime is basically "a residual one". He contends that the (social welfare) benefits of the regime are related the "risks" posed by individuals: social assistance is given solely to the very needy, high-risk, individuals. For the most part, however, the market assesses and provides for the individual's needs. He therefore contends that "the residual approach cultivates dualism: the good risks are self-reliant in the market; and the bad become 'welfare dependents'". (63)   Ellison argues that the terms "welfare" and "state" do not sit together comfortably with liberal regimes. (64) In a sense that "these regimes have relatively ungenerous, means-tested benefit systems or social insurance programmes and high level of inequality. Moreover, social goods and services are delivered by voluntary or private agencies at once remove from the state". (65)

2. Conservative or Corporatist Welfare Regimes

Examples of this type of regime can be found in Northern and Western Europe: in Austria, France, Belgium, and Germany. Its basic characteristic is "moderate decommodification". In elaborating, such regimes are shaped by two historical legacies: Catholic social policy and corporatism, or "*étatism*". The Catholic heritage embodies a desire to protect traditional family structures, while the corporatist legacy means that income maintenance benefits are delivered directly by the state and are directly related to occupational status. Solidarity is narrow and corporatist, with the state only interfering if the family's capacity is exhausted. Employees enjoy compulsory insurances, with the regime favoring a "new, post-industrial class structure". The state reinforces status differences, rather than redistributing benefits and wealth. Andersen states that: "The *étatist* legacy remains strong in the privileged treatment of public civil services, especially in Austria, Belgium, France, Germany, and Italy. The civil service benefits not only from having its own scheme but, also from vastly more luxurious eligibility and benefits rule". (66) Sainsbury contends

that "benefits are designed to maintain the status quo with respect to income distribution, class structure, and societal institutions, the state, the church and the family". (67)

Conservative or corporatist regimes are strongly *familial*. They are "a composite of the male breadwinner bias of social protection and the centrality of the family as care-giver and ultimately responsible for its family member's welfare (the subsidiary principle)". (68) Andersen therefore classified Japan as exhibiting a corporatist welfare regime, holding that the *familarist*. Confucianism is a functional equivalent of Catholic *familialism* in shaping its social policy.

Andersen argues that the more *familial* a welfare regime is, the less generous are the state's contributions to family benefits. (69) Women play a key role as social careers of the family, and are sustained by voluntary and private service providers. To protect these family structures, married women are discouraged from joining the labour market. (70) Family benefits encourage motherhood; however, "non-working wives" are excluded from social insurance. In sum, states reinforce the traditional gendered division of labour, while the regime places the burden of caring on women, while offering them little or no protection outside the family itself.

3. The Social Democratic/Universalistic Welfare Regime

Examples of this type of regime include the Nordic countries: Sweden, Norway, Finland, and Denmark. This regime's principal characteristics are as follows: universal provision of social welfare benefits, full employment, and a central role in social welfare provisions for the state. Women within this regime are encouraged to join the labour market provided with free day-care to help women to go to work. The state provides a range of high social services and these are not dependent on an individual's contribution. (71) Andersen states these features of the social democratic regime as follows: Service's and benefits are upgraded to levels commensurate with even the most discriminating tastes of the new middle class; equality is furnished by guaranteeing workers full participation in the quality of rights enjoyed by the better-off. Andersen further explains that this regime recognizes broadly similar social rights for diverse groups, including workers and civil servants. More specifically, they are all covered by one, universal, social-insurance regime. Political opposition in these countries is against the extended role of the state, arguing for a mixed economy and a greater role for the private sector. Yet, in spite of the welfare crisis from the mid-seventies and the drop in employment rates that has characterized them, these regimes are thus far still keeping to their high standards of equality. In sum, Andersen states that this

regime is a reflection of the following relationship between the state, the market, and the family:

> This model crowds out the market, and consequently constructs essentially universal solidarity in favor of the welfare state. All benefit: all are dependent; and all will presumably feel obliged to pay …. The result is a welfare state that grants transfers directly to children, and takes direct responsibility for caring for children, the aged, and the helpless. It is accordingly, committed to a heavy social-service burden, not only to service family needs but also to allow women to chose work rather than the household. (72)

Andersen's initial study therefore argued ultimately that:

> Notwithstanding the lack of purity, if our essential criteria for defining welfare states have to do with the quality of social rights, social stratification, and the relationship between the state, market, and the family, the world is obviously composed of distinct regime-clusters. (73)

The following table summarizes the specific characteristics of Andersen's model of three welfare regime types. The picture reflects clearly the extent of the role of the state in each welfare regime.

	Liberal	Social Democrat	Conservative
Role of:			
Family	Marginal	Marginal	Central
Market	Central	Marginal	Marginal
State	Marginal	Central	Subsidiary
Welfare State:			
Dominant mode Of Solidarity	Individual	Universal	Kinship Corporatist Etatist
Dominant Locus Of Solidarity	Market	State	Family
Degree of Decommodification	Minimal	Maximum	High (for Bread-Winner)
Model Examples	USA	Sweden	Germany- Italy. (74)

In his second key publication in 1999, (75) Anderson apologizes for having neglected the issue of the role of the family and his attempt to underlie the relationship between the

state, market and the family. (76) He now argued that social welfare provision in the developed economies is shaped by the three providers, with the particular combination of welfare provisions being related to the form of the political order. Each of these institutionalized arrangements for social welfare provision produces both desirable and undesirable social results. He contends that the labor market is not a simple social acquisition that is broadly spoken about. The labour market functions according to a range of factors, including the "nature of work", the gender composition of the workforce, the structure of industrial relations, and so forth. (77) These are not easily designed according to the objectives of a welfare state—even if the political will exists, the immediate needs of labour supply and profit maximization may overrule the more long-term desire for equality and social justice. Within this context, greater inequality based on gender will be visible: the state will rush to aid the market and, in doing so, may inadvertently exacerbate gender differentials and discrimination. The family is regarded as a key social provider and social player. Women play a particular role, as caretakers, caregivers, and more importantly, as mothers of future generations. The majority of women who are in this position find that their "family" labour is unpaid and no formal social welfare protection accrues from it. The state has meanwhile been the key social welfare provider, especially during the post World War II period. It has generally guaranteed a high level quality of social, political, and economic stability, far more, according to Ellison, than have the private or voluntary sector. The state in developed economies has removed the burden of these provisions from the private employer and "subsided welfare capitalism by providing educational and training support, health care and other benefits". (78) Andersen sums up by saying that, during the previous three decades, every welfare regime had demonstrated its own combination of the three key actors in provision of social welfare. (79)

A Feminist Assessment of Andersen's Typology of Welfare Regime Types

Both feminists and non-feminists put Andersen's clustering theory (80) under the microscope. The mainstream critique often focuses on the notion of "de-commodification", which, it is argued, in some ways represents a fourth "type", an ideal type of welfare regime according to Andersen. While he concluded that "Scandinavian countries have the highest levels of de-commodification", this remains a relative concept in the absence of a real ideal-type. It signifies that there is not a real perfect type of a welfare state even amongst the Scandinavians welfare states. (This is clearly a crucial point, since "de-commodification" affects the power relations between social classes to the benefit of the working class).

Andersen admits that there are no pure types of welfare regimes against which others may be measured, but he remains confident that the three types of welfare regimes are the product of their historical forces, are "qualitatively developed" and are therefore relevant. There is no pure example of a welfare regime, since every economy is a "mixed economy" to some degree. (81) Arts and Gelissen (82) prescribe not only a fourth, but also a fifth welfare "type" of welfare regime to be included to Andersen's model. They redefine Andersen's categories within the European continent as follows: the Scandinavian welfare states, the Bismark countries, and the Anglo-Saxon countries. They then identify a *Latin Rim* cluster, distinguished by the lack of a system of minimum social rights. However, they point out that a fifth welfare regime can be included if the stratification criterion is being used as a measurement of typology. These are as follows: "conservative", "liberal", "social democratic", "radical", and a "hybrid European cluster". (83)

For Arts and Gelissen, Andersen's typology suffers on two principal accounts: first is the neglect of the family's place in social welfare provisions (although this is acknowledged by Andersen in his later works as has already been pointed out) and second is his "all-or-nothing" approach to women's inclusion in welfare provisions. They argue that:

> Instead of employing the all - or- nothing words 'inclusion and exclusion' to gender differences, it seems sensible to stress the importance of partial citizenship. Women obtained full civil and political rights a considerable time ago, but with regard to social rights, women are still discriminated against, sometimes formally, and nearly always informally of different labor market positions, linked to different gender roles. (84)

Borchurst provides a feminist account to Andersen's to his early typology of welfare regime. (85) Borchorst claims that Andersen's analysis of the social equations between the state, market, and the family has not been adequately analyzed or investigated in depth. The family role was pivotal, as was evident when Andersen addressed the incorporated continental social welfare regimes and how the family addresses its members' social problems. However, the sexual division of labour within and between the family and within and between the state and the market was not effectively addressed. Secondly, Borchurst argues that the crucial difference between making the individual or the family the basic unit of investigation did not receive significant attention. Thirdly, she suggests that Andersen's analysis totally ignored gender in discussing "income transfers" for such things as pensions, unemployment benefits, and sickness benefits. She claims that Andersen paid insufficient attention to the service

sector, concentrating only on the public-private mix, rather than the nature of the economic activity itself. If Andersen had included an analysis of the relationship between the private sector and the family, he would have discovered how crucial the social services are to women's welfare, she argues. (At the same time, she herself declines to suggest that services must be included because they are not easily "measured and operationalised". (85) Borchorst states that the "de-commodifcation" process is not only different between the regimes, it is also different between for men and women within and between regimes. For example, she writes that,

> Marriage tends for instance to have the opposite effect for men than for women. Married men often have more permanent connection to the labor market than unmarried, whereas married women often adapt their labor market participation to their responsibility in the family, especially, the care of children. Policies may work in the direction of supporting or altering this pattern. (86)

Borchorst suggests that women must have the knowledge prior to receiving the benefits, whether or not they receive it as individuals or as families. This reflects the importance of the "public care" regarding the position of women in general, she argues. On a more positive note, she praises Andersen's analysis for rejecting the "functional theory" that the welfare state is a product of the industrial revolution. In assessing welfare regimes as the product of a political classes and variations in regimes as reflecting their varying interests and power-sharing, he has offered a departure point for analyzing the particular situation of women within European countries.

Andersen replies (87) that he regrets his neglect of the issue of gender which is conceived in the relationship between the market, the state, and the family. He suggests that: "the typology, regardless of political origins, becomes static in the sense that it reflects the socio-economic conditions that prevailed, then namely an economy dominates by industrial mass production; a class structure in which the male, manual worker constituted the prototypical citizen; and a society in which the prototypical household was of the stable, one-earner kind". (88) He therefore argues that the key casualty of today is "women's role in the society". A key implication of this change is the extension of the service economy, accounts for the "disappearance of housewifery". Therefore, "women occupy centre-stage in the post-industrial society", in his view. (89) He elaborated by saying that the male security of the post-war decades stemmed from the notion that man is the only breadwinner and his security

encompasses all forms of security. This assumption no longer prevails. The change is owed to the fact that "women began to join the labour market as a result of the spread of capitalism and globalization. Man used to be the nexus between the economy and the family: but now women emerge to become the lynchpins of any balance between the economy and the households". Andersen writes that:

> The move of women into paid employment implies a double job multiplier, visible on both the consumption and production side of the national accounts ledger. Their earnings add to households purchasing power; their employment reduces households available time to service their own needs. (90)

He therefore addresses the issue of gender by exploring the question of equality between the sexes: whether or not it should be equality or equity. The two terms are, in effect, interwoven. A "women-friendly" policy is most likely to be the solution to such a complicated issue, although he concludes that: "the egalitarian challenge is unlikely to find resolution unless, simultaneously, the male life course becomes more feminine". In other words, "if we want more gender equality our policies may have to concentrate on men's behavior". (91)

In sum, Andersen's analysis of three models of welfare regimes is a useful starting point for this thesis. It opens up the boundaries of welfare-regime typologies, and thus enables us to measure the provision of social welfare in one country against that provided elsewhere. Welfare regime typologies allow us to identify the role of the state in terms of welfare provisions and the extent of both its direct and indirect involvement in the well-being of its citizens. It also allows us to identify other relevant social welfare providers, notably the market, the family, the church and voluntary or civil society organizations and associations, and to categorize their contribution relative to the state.

It offers less in terms of social welfare provisions where women are specifically concerned, although some insight is given as to the importance of women's role in the family, and the impact on women of state market-family relations. By leaving behind the functional approach, which sees social policy as determined by the processes of industrialization, we are able to accommodate the impact of political structures (liberal, corporatist or social democratic) on social policy, but "easy" typologies do not help us to understand the relative impact of these on women's welfare as opposed to social welfare provision as a whole. The role and status of women within the political (public) sphere become crucial in determining how political structures affect social policy regimes. Equally, one cannot look at the economy

as a unitary entity with a single impact. The place of women in the economy, their engagement with paid employment in formal and informal sectors, and their domestic economic status, all have to be considered as playing a role in determining social welfare policy and provision. Finally, the fact that Andersen's analysis is confined to the welfare regimes of Europe imposes clear limitations on its relevance. To assume, for example, that Confucianism can fit a Catholic template is simplistic, while the historical and political experiences of non-European states must—according to Andersen's own logic—have played a part in determining very different welfare regimes. By reviewing the main works on social welfare regimes outside Europe, an understanding can be reached as to how we may approach the social-welfare regime of Jordan.

1.6. Welfare Regimes and Women's Social Welfare Needs in the Third World

While, as has already been seen, the major research on this subject has been focused on the developed industrial world, Jordan's historical experience as a less developed or Third World state must be considered. In such countries, the role of the state is different, with welfare provision playing a smaller part in its activities. Key social players other than the state influence the formation of social policy in these societies, filling in the "gaps" where the state's role is limited or unable to offer social welfare provision. Political parties (for example in Latin America), the family (in South East Asia), religious institutions (for example churches and mosques), and civil society organizations all play an immensely important role in supplementing the limited role of the state.

The states of the developing world cannot be directly compared with advanced industrial or post-industrial states. A few characteristics might be superficially similar, but the substance is evidently different. A number of factors underlie the sharp difference between the former and the latter, including historical background, economic status, and social, political and cultural formations. The differences are sharpened when it comes to concepts of welfare. Welfare regimes in the developing and less developed countries have different meanings and fulfill different functions to those of the advanced industrialized nations. The concept of welfare state in the latter is closely linked to ideas of citizenship and the entitlements to which a citizen is due. A citizen has an institutionally recognized status which enables him or her to access prescribed economic, social, civil and political rights. The enforcement of these is guaranteed within a context of laws and regulations, which are upheld and enforced by the state. The role of the family and the church has been, in recent times, diminished in industrialised and post-industrial societies, while the role of the state has been

enhanced. The state has an institutional strength which enables it to regulate the relationship between the market and itself and between the market and the family. As Al-Khouri states, in the developed world it is therefore the case that:

> Social services, taxes, and citizenship are therefore essential and inter - related components of the welfare state. In addition, the idea of employment as a right still underlies some of the thinking of the welfare state. (92)

Or, as Rose and Shiratori emphasis when discussing the case of Europe:

> The state is regarded as having a major responsibility to provide welfare for all its citizens through public education, a national health service, and the generous provision of pension and income maintenance payments to the unemployed. (93)

In contrast, the state in less developed countries seems to play a more minor role. The literature suggests that social policies are more directly economically and politically motivated and are more closely associated to economic and political change. Consistency in social policy is undermined by political fluctuations and, with the state often being more institutionally weak and less well-resourced, the role of the state is more minimal: it only interferes to provide for the poor and often only in acute cases. Above all, as the state in these societies is increasingly oriented towards the market economy, the state's priorities become combating "poverty and the unemployment" (94) rather than welfare provisions for all.

Ian Gough (95) has written extensively about both the North-East and South-East Asian social welfare regimes, as well Latin America's social policies and welfare regimes. His writings are focused on the economic and social problems of these continents, especially in relation to the experiences of the Western industrialized countries, and the impact of globalization on the indigenous political and economic structures. More specifically, they focus on how social policies have adapted to change. His findings are that family and religion are key providers for the poor and unemployed family members. More importantly, social policy is constructed around the family and religious beliefs rather than around concepts of individuality, citizens rights, and capitalist economic growth. Gough's work underlines above all how the "goals, targets and provisions" of welfare regimes in these regions differ from those in the advanced Western societies. He demonstrates that the role of the state in these societies is also different, as are the expectations in regard to social welfare provisions. While the state plays a minimal role, the family remains the central provider of social welfare.

Gough highlights the institutional weakness of the state in the East and South East Asian societies:, he states that they are "less embedded, lacking democratic practices, have lower state infrastructural capacities and less autonomous state institutions". (96) Moreover, regarding political mobilization, he writes that there exists "a different distribution of power resources: weaker class organization of politics and more particularistic, regional, patrimonial and clientelistic forms, resulting in the 'adverse incorporation' of weaker groups". (97) In other words, the inclusiveness of social policies is variable and dependent on informal access to political power or patronage. In the absence of a strong state infrastructure, secure from partisan or short-term political manipulation, social welfare becomes the domain of groups other than the state, ranging from "religious or enterprise-based organizations, NGOs, foreign aid organizations, local/communal associations, clans and households".(98) There is also some provisions made within other aspects of state economic activity which are not directly to be considered as social policy, such as "consumption subsidies, agricultural support, work programmes, and micro-credit schemes". Within the context of welfare outcomes, they represent a "lower level of welfare outcomes, except among the rich. "De-commodification" is irrelevant in this context". (99)

Gough contends that in the countries he studied, key government expenditures went mainly to "civil servants, the military and the police and teachers" so as to promote a high level of education. "State expenditure and revenues was below one fifth of GDP and public social expenditures are very low except education". Health expenditure was low, except in the cases of some public health insurance schemes. Social protection, including pensions, was also remarkably low. Public programmes providing formal safety nets were minimal. Labor legislation provided little or no protection against redundancy, or compensation for it or for outright dismissal. Moreover, the health and safety of the workplace was poor, and poorly regulated. This background means that both North- and South-East Asian societies depend enormously on civil society organizations (NGOs and International NGOs) and on the family in terms of meeting social-welfare needs. Given the lack of investment by the state with regard to social provisions, vital sectors such as health and education fall into the hands of the private market. Not surprisingly then, despite all efforts spent to improve the development of these societies, they still suffer to a great extent from poverty and inequality. (100)

In effect, Gough applies Andersen's model of welfare regimes to the North and South East Asian welfare regimes and presents them as a fourth type of welfare regime. For Gough, globalization has had an enormous impact on the social policies of Asian states. Economic and social difficulties become exacerbated, with relief being increasingly dependent on

provisions by international and local NGOs. These serve the function of assisting, or lessening the impact of, the economic adjustments of the Asian economies so as to enable them to meet international economic requirements. Korea, Thailand, Indonesia, Malaysia, and the Philippines, for example, developed their current social policies as a response to the economic crises that took place between 1997 and 1999. The external actors are thus significant for social-welfares in developing and less developed countries, far more than they are for Western or developed economies. Gough suggests that this fourth welfare regime may be termed *productivist welfare capitalism.* He describes it as follows:

> Social policy is subordinated to economic policy and the imperatives of growth. Social expenditures were small but relatively well targeted on basic education and health as part of strategy of nation-building, legitimation and productive investment. The growth of welfare over the last three decades has relied on the expansion of formal employment within the orbit of strong families, plus growing payment for services. Overseas aid was diminishing but the social actors were open to foreign commercial penetration. (101)

Japan, Korea, and Taiwan are referred to as being more advanced with their welfare regimes than other East Asian states, and as being more likely to imitate the West's social regimes. It should be noted, however, that Catherine Jones (102) has argued that Confucianism plays a major role in the design and implementation of social-welfare policies in Japan, irrespective of this state's level of development or its "westernized" models of growth. Confusionism provides a dominant cultural context in which the family bonds are stressed, as are education, social harmony, and the notion of the father as the head of the family. (103)

 Goodman and Peng also argue that Japan's social welfare regime is family oriented and "negates much of the need for state welfare". Moreover it is a "status-segregated with residual social insurance base system". Finally "core workers" insurances are left to corporate occupational plans. Confucian and indigenous traditions are vital in the formation of the social-welfare policies and the state reaffirms the role of the family and private transfers in social welfare. (104)

The literature on North- and South-East Asian states that economic growth does not necessarily lead to Western-style social-welfare regimes. In those countries that have been studied, social-welfare regimes have emerged in accordance with indigenous value systems which recognize the role of family-based support and community-based mutual aid. It should

be noted, however, that social policies have been developed in a largely reactive manner, responding to economic crises or the demands of external actors, rather than as the result of political ideology or long-term planning. (105)

Social Welfare Regimes in Latin America

The literature on social-welfare regimes in Latin America offers us some different insights. Here social-welfare regimes appear to be more of a reflection of the struggle between political power and religious affiliation.

Borzutzky (106) has argued that the Church becomes a major social-welfare provider because of the nature of the political context in these countries. Political parties often draw their strength from their support for the social-welfare needs of elite groups, the military and the higher ranks of the civil service, offering them higher pensions and greater welfare protection. Political elites establish social policies and targets according to their own political ambitions, targeting the needs of powerful political patrons, rather than the population as a whole. The social welfare needs of the poor, or of disadvantaged groups like women, who have little political clout, are left to the care of religious institutions, NGOs and INGOs.

Carmelo Mesa-Lego (107) argues that economic liberalization has exacerbated the problem for the lower layers of Latin American society. Liberalization has strengthened the power of the elite, and increased the inequality and impoverishment of the majority. While some piece-meal reforms of the health and pensions sectors have been implemented, larger-scale structural reform has not been seriously considered. There is little political interest in initiating reforms to alleviate inequality and poverty. Mesa-Lego's findings are supported by Evelyne Huber's (108) study of welfare insurance and social security in four key Latin-American countries: Chile, Argentina, Brazil, and Costa Rica. In particular she argued that unemployment insurance regimes were "underdeveloped" and that social insurance was largely associated only with paid work. According to Mesa-Lego, the two key problems in regard to Latin American social-insurance regimes are the limited coverage provided (not least in excluding the large informal sector) and the fragmentation of, and inequalities in, entitlements. Since social insurance is associated with formal paid work, a large proportion of the rural and urban poor are excluded. Attempts to decrease the level of inequality and fragmentation have been faced with resistance by privileged groups.

Latin American social welfare regimes are different from each other, taking into account their different historical political and economic development.While Chile demonstrates a residual type of regime, Brazil is moving towards more universal provisions in health care and

pensions. Like most states in the region, both were hit badly by the economic crisis of the 1980s. The subsequent economic restructuring offered the opportunity for large-scale reforms of social policy and social-welfare provisions. However, not all states were willing or able to engage in this task. Much depended on the ability (or inability) of the state to meet its financial obligations, especially as poverty had become and has become an increasingly grave issue. A key problem in implementing change has been the "inadequate extractive capacity of the state and the inability of the political system to pass reforms that would reduce social spending for privileged groups". (109) In other words, governments must be autonomous of the vested interests of privileged groups and able to implement effective and redistributive taxation policies. Both have proved difficult in Latin America, especially as larger economic restructuring has become a priority.

Chile pursued a path of privatization and export-orientation, at the expense of destroying much of its domestic industry. To do this, it implemented vigorous anti-labour policies, while supporting the interests of those with capital. As a result, it developed a two-tier welfare regime in which private social welfare schemes were promoted for those who could afford it, while the state provided a minimum of support for those on low incomes. This privatization of social welfare was one of President Pinochet's major goals, which, according to his critics, was as follows: "it did so with a complete disregard for any opposition from popular and even middle class groups, as well as for the distributional consequences of the government policies for the poorer sectors. The only exceptions were a few special programmes targeting the poorest and most vulnerable groups. Under the two democratic governments in Chile, the new power distribution has heavily favored capital. The process of economic concentration and the dependence on foreign capital, combined with the emasculation of union strength through physical repression and the drastic shrinking of traditional bases of union organization, have produced a situation where pressures from capital against significant labour and social policy reforms easily outweigh pressures in support of such reforms from labor and other popular groups". (110) Successive governments have maintained this strategy.

In contrast, Brazil has maintained a strong non-contributory welfare regime, along with its anti-labour and pro-capital economic policy. Its social-welfare regime is an attempt to build political support among the rural population via officially-administrated syndicates in order to achieve mass coverage. The members of the scheme benefit from pensions, minimum wages, and health care. Regardless of the latter, Brazil has not been exempted from the problems besetting other social-welfare regimes in the region. Provision, albeit non-contributory, is on a fragmented and politically motivated basis. Weak political parties and

clientalism abound, while painful policies of economic reform are pursued (in the interests of capitalist elites and the global economy) at the expense of the impoverished masses, who can do little about this phenomenon, given the fragility of democratic political mechanisms.

Costa Rica has pursued yet another route. While still emphasizing growth based on (non-traditional) agricultural and manufacturing exports, and providing tax incentives and subsidies to businesses to engage in those activities, it implemented policies of severe austerity in other areas of government expenditure in order to underpin a universalist welfare regime. Employers were required to maintain their contribution to social security, and the self-employed were offered a voluntary contributive scheme. Health care was then publicly provided and minimum of social insurance was offered.

Nonetheless, as is typical in most of states in the region, its social-welfare regime is relatively underdeveloped. Even the more advanced welfare regimes of the region have fallen far short of their goals. As Huber explains, the key problem in these countries is that the state still plays a minor role in welfare and social provisions. Social policy is specifically used as a political means to "promote the ideological visions of a desirable social order and to build, or destroy, support bases". (111)

Where the state does get involved, it is often in terms of specific and limited programmes, rather than in the formulation of long-term policies and strategies. For example, nutritional programmes, which subsidize basic food stuffs, can be targeted at the poorest women and children. These types of subsidies are effectively much cheaper than the means-tested systems which are used in liberal and conservative welfare regimes in advanced industrialized countries. Alternatively, states may engage in a "social funds approach". Targeted emergency programmes are partly financed by international financial institutions as they support broader economic reforms, thus having some impact in the fight against poverty. This type of programme can be helpful if the goal of a permanent universalistic of social insurance and institutions keeps progressing, but offers only temporary and unsustainable relief if a broader development of social welfare is not undertaken. In general, however, the role of the state in Latin America in providing social welfare is minor, inefficient, and insufficient. The state's role in effect responds only to the elite's basic interests. If the elites (the military force and top civil servants, for example) feel that the ruling party is not responding to their needs, they have the power to change the political regime. The experience of Latin America suggests that weak state structures, which are vulnerable to the interests of the political or economic elites, inhibit the development of social policy, and only on a fragmentary and short-term basis. Democratic elections or political systems are not in

themselves a guarantee of good social policy if the state remains vulnerable to such vested political interests.

1.7. Conclusion

The approach taken by this study thus far has aimed foremost to provide a series of clues as to the nature of the *welfare state* and the consequence implications for women's social welfare provisions. It has raised the importance of the historical and political experience of state development in the formulation of social policy and the role allocated to the state in the provision of social welfare. In the case of industrialized Western European countries, the experiences of industrialization and political enfranchisement were key contributors to the development of social policy. The impact of capitalist (or non-capitalist) economic activity has to be considered, as does the degree to which the economic resources of a country can be directed by the state towards social-welfare provisions. Whether the state has the institutional means to do this is also a key consideration. This means we have to examine the degree to which the state has the political capacity and the will to engage in social-welfare policy. The nature of the political system therefore matters. The experience of Latin America suggests that democratic political structures are not sufficient in themselves in terms of provisions, if they have been hijacked by the interests of the elite. The relationship between the citizen and the state is important, not least in determining the degree to which the state can or is expected to engage in something more than just mediating the relationship between the market and the citizen. Political systems also reflect society understands of whether the state is expected to provide social goods, such as equality, political or human rights, and protection from unforeseeable harm. The discussions on the welfare state also raised the issue of the role of non-state actors. In particular, the market and the family play significant roles in providing for social welfare. The balance of responsibility may be a result of the impact of political ideologies on social policy (as was evident from the typologies of social policy) or from engrained indigenous cultures and traditions (as was evident from discussions of East-Asian and Latin American social welfare regimes).

This chapter has also led to the study pursuing a liberal feminist approach to the study. The evidence presented so far suggests that the state *can* play a positive role in alleviating the disadvantages suffered by women in the arena of social welfare. However, it has also suggested that local historical, cultural and social specificities can shape or indeed inhibit the state's effectiveness in providing for women's social welfare. (Indeed, an initial assertion of the power of influential patriarchal, conservative and religious elements in Jordanian society,

suggests that the Jordanian state cannot be understood without reference to such specificities). The study is feminist furthermore in its belief that social stability stems from executing a social policy that brings equality to the citizens men and women without discrimination based on sexual division of labour and with the force of law without permitting those influential social elements to override the constitutional rights. However, to properly assess the role played by the state in doing this, the relationship between the state and women as citizens will need to be deconstructed. This means looking at their political rights in Jordan, as well as how the state serves to either reinforce the traditional role and status of women or to challenge it in their interests and against vested male interests. The degree to which women may participate in politics and in making the state represent their voices and interests is important, since this will dictate to some degree the extent to which social policy will be directed towards meeting their particular needs.

As the studies of East Asia and Latin America show, indigenous cultural and value systems are also important and may prevail in social policy. Thus a liberal feminist analysis needs to ascertain the role and status of women in Jordan's cultural framework, and to assess the degree to which this is reflected in the social policy of the state and non-state providers. The economic position of women in Jordan is also an important consideration. Again non western European experiences show that global economic impositions can impact negatively against women, in particular economic liberalization programmes, which include austerity measures in terms of government expenditure, unfriendly labour laws, and the increased commodification of labour. Thus the impact on women of Jordan's current economic strategy (and its international sponsors) must also be considered. Finally, an analysis will be provided that reflects what women in Jordan have said as to what they consider to be their social-welfare needs, and whether those needs are being met and by whom. Only thus can it be ascertained the role and extent that the Jordanian state plays in meeting the social welfare needs of its female citizens.

CHAPTER ONE

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CHAPTER TWO

The Political and Economic History of Jordan & Social Welfare Provisions for Women

2.1. Introduction

This chapter functions firstly to provide an understanding of the political and economic development of the state of Jordan. Secondly, and relatedly, it will assess how these been reflected in the particular orientations of the state's social welfare policy and in particular, with regard to women's social needs. This follows from the assertions made in the previous chapter that the type of political system determines the economic orientation of a state and ultimately the type of social welfare regime.

The chapter will explain how, as a result of its particular political history, the Jordan state's key preoccupations today are firstly security and secondly the development of the economy, in particular through enhancement of the private. Social policy and budget allocations reflect these priorities. Thus the social welfare needs of Jordanian women are largely left to other key social actors such as the family and the civil society organizations (NGOs), rather than the state.

To understand why this is the case, it is necessary to examine the relationship between the state of Jordan and women. In terms of citizenship rights, and according to the constitution, women maintain equal political and economic rights, on paper at least. In reality, however, it will be shown that the Jordanian state is itself of a patriarchal nature. Its political security depends on the support of tribal, family, religious and other conservative elements. Moreover, because of Jordan's scarcity of resources, combined with its vulnerable strategic position – located between Palestine and Israel - it relies extensively on external aid. Social policy development and priorities stem therefore from this dependence as much as from the regime's political concerns. Women's social welfare needs have a consequently low level of priority, a situation which is exacerbated by women's lower social position. Social policy is directly influenced by conservative tribal and family values, and the role of the state (which is also basically a conservative one) is minimal. Women's political and economic positions are therefore undermined by the patriarchal and conservative nature of the state as much as they are assured.

The Palestinian issue adds a further dimension to this. The existence of a (majority) proportion of citizens and refugees alike within Jordan of Palestinian origin has had enormous political and economic implications for the social development of Jordanian society as a whole and especially the identification and advancement of women' social needs. Palestinian political

activism has done much to define political and social rights within the country and have offered a route for women's mobilisation and political participation. The Palestinians also play a key role in the economy of public and the private sectors. At the same time, however, the public sector is controlled and staffed largely by Transjordanians (East Bankers) while the private sector is more substantially dominated by Palestinian Jordanians. The details of this historical issue and all its implications are not included in the study, for their complexity and multi-dimensionalism might confuse rather than illuminate and would certainly lead to excessive thesis length. However they should be borne in mind as the following discussion is read.

The chapter includes three sections. The first narrates the historical development of the political system in Jordan. This includes the political history and introduces the reader to the political structures, the constitution, and the social and legal orders of the state, the democratic process, political parties and elections, citizenship rights and women's political rights and mobilisation. The second section elaborates on the economic development of the state of Jordan. This includes women's economic status, their rights and needs, their participation in public and private sectors, and in formal and informal sectors. The final section offers an assessment of the Jordanian state's role regarding women's political and economic empowerment and more importantly its provision of women's basic social needs pertaining to education, health, employment, housing and social security benefits.

2.2. *Political Development, the State and Social Welfare for Women*
2.2.1. *General History and overview:*

Jordan's political history should be understood in the context of it being a geographically small entity which lies at the heart of the Arab World. Its strategic location - at the Eastern end of the Mediterranean between Israel and the Arab world - has meant that Jordan has been vulnerable to a series of regional conflicts and crises. With few natural resources, (1) its survival has been dependent on an ability to adapt to local, regional and global developments. For example, Laurie A. Brand (2) has argued that the permanent threat of war with Israel has been an underlying cause for the periodic opening up of the political system, followed by renewed repression. As a result of unrelenting internal and external threats, Jordan is forced to constitute its power relations based on first a unique security apparatus that it is based on family, clan, tribal ties" and second, on close and strong ties with the West, in particular with the United States.

Jordan's political history can be traced to the establishment of the state of Transjordan in the wake of the World War I, in 1921. The British replaced Ottoman rule with rule by a new

Emir, Abdullah, from the Hejaz. The British and the Emir set up a new "governmental structure, an army, a police force, and a bureaucracy". (3) Transjordan's first constitution was set up in 1928 as an "organic law", "concomitant with many other laws (Ottoman, French and British laws) governing every aspect of life in the new state". (4) In 1923, Britain formally recognised Transjordan as an independent state, but that independence was not quite complete. The Jordanian army and economic development remained under the British command and supported by British subsidies, although a still greater degree of independence was conferred in a 1928 agreement. Following the Second World War, in 1946 the emir was proclaimed King, with the introduction of a new constitution, and with the country's name being changed to Jordan in 1949. British formal influence was progressively reduced to the military arena only, and in 1951 Abdullah was assassinated by domestic political opponents. His eldest son, Talal succeeded to the throne but abdicated in favour of his son, Hussein, just a year later. Further, unsuccessful, assassination attempts were made on the new King, Hussein, in 1960, 1961 and 1963. However, Hussein was to rule until his death in 1999, when he was succeeded by his son, Abdullah.

Jordan is therefore a Kingdom with a constitutional monarchy at its head. The constitution dates back to 1950, when Jordan annexed the West Bank, but has been significantly amended over time to set out the political structures of the Kingdom. Nominally, Jordan has a parliamentary system of government but precise political structures have been subject to changes determined by external events. In 1967, for example, elections took place to a 60-seat House of Representatives (30 from the West Bank and 30 from the East Bank). With East Bank representatives coming largely from pro-Monarchy tribal groups, and West Bank representatives operating against the King for a more bellicose policy towards Israel, (5) the House was unable to function effectively. The situation was exacerbated when Israel occupied the West Bank in June 1967, with many representatives now unable to take up their seats. Following the outbreak of civil war in September 1970, and an attempted military coup in 1972, the National Assembly was dissolved by the King in 1974. The Jordanian National Union was established under his aegis as the sole political party in 1971, renamed the Arab National Union in 1972. The King became president of the organisation and appointed the 36-member Supreme Executive Committee. The 1975 elections were postponed and the National Assembly was briefly reconvened in 1976 only to enact a constitutional amendment which suspended elections indefinitely. During the subsequent period, legislative functions reverted back to the executive. A National Consultative Council was appointed to advise and support the executive, serving till 1984, when the government announced a return to parliamentary governance.

The 1980s brought a more open political climate in Jordan, in part as a result of the need to respond to Israeli settlement of the West Bank and later as a response to growing economic crisis. In 1984 the King dissolved the NCC and reconvened the National Assembly in order to re-establish the separate political life of West Bankers in the face of rapidly expanding Israeli settlements there. Political parties remained banned although there was some tolerance towards "unofficial groupings".

Meanwhile, like much of Latin America and South East Asia "Jordan faced severe balance of payments crisis as well as deep-rooted macroeconomic and related structural problems. The state had virtually run out of international reserves and was on the verge of defaulting on its external debt payment obligation. It faced a massive external public debt, and large deficiencies in the external current account and government budget." (6)

The IMF forced Jordan to exercise austerity measures to rescue its deteriorating economy, leading to riots in the south (which had historically been the bedrock of support for the monarchy). In the face of such widespread discontent at the economic measures taken by King, he attempted to appease the populace by announcing free elections and the liberalisation of the press in the 1989. This was also a response to his renunciation of Jordanian claims to sovereignty over the West Bank in 1988, which made the old National Assembly redundant. In 1989 new electoral laws made a new 80-seat House of Representatives possible and new elections finally took place, although political parties remained banned. (The Muslim Brotherhood was able to field candidates due to its status as a charity rather than a party). Women were allowed to vote in these elections for the first time.

In 1991, a new National Charter was endorsed by the King, which legalised political parties in return for their allegiance to the monarchy and in 1993 the country's first multi-party elections were held. As a consequence, political parties were formed around a range of groupings which could be identified as follows: the Islamist *Sunni Muslim Brotherhood* who worked within the framework of the government; the *Centrists* (based on traditional tribal structures) who are the back-bone of support of the King. The centrists' aspirations are for an "independent and unified Arab state based upon ancient traditions and Islamic principles". (7) They may be considered as essentially loyalists, comprising largely former ministers, regional governors, high ranking civil servants, and tribal leaders. The *Leftists* and the *pan-Arabists* form the opposition to the government and find themselves in conflict with the Islamists. (8)

The political parties law, No. 32 of 1992, governs political parties. The law pertains to the manner in which political parties are to conduct themselves and includes stipulations for party formation and party activities. In order to receive a licence from the ministry of Interior, parties

must comply with certain regulations, such as having a minimum of 50 members, respect for the constitution and the ideals of political pluralism. Since the promulgation of the 1992 law, there has been an explosion of party formation. In some cases, smaller parties have since banded together in working coalitions to contest elections. (9)

The commitment to multi-partyism was short-lived. In 1997 a new electoral law which re-ordered constituencies to favour traditional allies of the monarchy led the *Islamic Action Front* to boycott the elections. In the face of increasing unrest in response to the Palestinian intifada over the border, as well as regional instabilities caused by the war against Iraq, the elections scheduled for 2001 were put on hold and from 2001-2003 the King again ruled by decree without the assistance of the parliament. This was accompanied by a wide ranging set of emergency laws, a harsher penal code and a significant closure in the realms of media expression. Given the biases in the election law, when elections were finally held in 2003, the traditional allies of the King returned to power, at the expense of the Islamist opposition.

In sum, for most of the first fifty years of statehood, the parliamentary system was unrepresentative, inoperable, and subject to the almost absolute decree of the King himself. In the absence of political parties, interests were based on either tribal affiliation, proximity to the palace, or Palestinian/Jordanian identities. More recently, a period of political reform appears to have prevailed, with the (re)introduction of apparently democratic political structures.

In practice, the democratic process appears to carry the mark of political liberalization, rather than democracy. Democracy requires a strong civil society including trade unions and worker's organizations, properly organised, free and institutionalised political expression, and a "multiparty electoral competitions and open oppositional presence in the political field". (10) It is therefore argued that,

> The reforms that have occurred scarcely warrant the label democratic, in the sense of allowing for popular or majority rule. 'Democratization' and 'liberalization' tend to be used interchangeably, but they refer to two distinct, if related, processes. Democracy denotes a mode of governance in which decision-making power is shared by 'the people' rather than concentrated in the hands of a clique. (11)

In fact, the power of the King remains enormous. The King is the head of the state and the head of government; he appoints both the prime minister and the cabinet. The King also has extensive lawmaking powers that include the appointment of senators (members of the Majlis Al-Ayan), ratification of laws, abolition of the parliament, and postponement of House elections. In

cases where the parliament is not sitting or is dissolved, the Council of Ministers, with the approval of the King, has the power to issue provisional laws, which have the force of law.

There does exist a limited system of checks and balances. Legislative power resides in the National Assembly consisting of the Senate (Majlis al-Ayan) and the House of Representatives (Majlis al-Umma). (12) The House of Representatives has the right to cast a vote of no confidence in the cabinet. The National Assembly has the power to override the monarch's veto by a two-thirds majority in both houses. The legislative branch has also engaged in investigating corruption charges of several prominent members of the political elite in recent years. The High Tribunal, composed of Senate members and senior judges, has the right to question and try ministers. Similarly, legislative acts may undergo judicial review by the highest civil court judges and administrative officials but no constitutional amendments may be made affecting the rights of the king. Amendments to the constitution have to be passed by a two-thirds majority of the members of each house and ratified by the King. (13)

Similarly, the court established law of 1951 and the constitution of Jordan, promulgated in 1952 and amended in 1974, 1976, and 1984, provide for a theoretically independent judiciary. An independent judiciary is the bedrock of a society functioning according to the rule of law, and it can ensure that other institutions of government and individual leaders are held accountable for their actions. (14) The legal systems of the Arab World, in general, derive from multiple sources of the law, such as Islamic and "Shari'a" legal traditions, French civil law, English common law, Egyptian law, and Ottoman law. The legal system in Jordan is based on a combination of civil law traditions and Islamic legal principles. Civil law derives from both Islamic and the Egyptian civil codes; family law obtains entirely from Islamic law. The Jordanian court system is structured into three broad categories of courts: (1) religious; (2) civil; and (3) special courts. The religious courts are further subdivided into "Shari'a" courts and tribunals for non-Muslim religious communities. The "Shari'a" courts have jurisdiction over all matters relating to the personal status of Muslims and in instances when one party is non-Muslim but agrees to adjudication by the "Shari'a" courts. A special court appointed by the court of cassation adjudicates disputes between two religious courts and between one religious and one civil court.

A number of special courts have specialised jurisdictions. The state security court, composed of both military and civilian judges, has jurisdiction over offences against the state and drug-related crimes. The High Tribunal may interpret the constitution at the request of the prime minister or leader of either legislative chamber. The supreme council or the special council interprets laws at the request of the prime minister and is empowered to try members of parliament accused of penal code violations. The supreme council is composed of the president of

the senate, three senate members who are elected by the parliamentary body and five judges who are selected from amongst the highest courts in order of seniority. The High Court of Justice hears private challenges to governmental acts. (15)

In reality, however, the power of the King is barely diminished by these checks. Yet he is not entirely autonomous. He himself relies in turn for support from the major tribes of the East Bank. The tribal confederations provide much of the senior ranks of the Jordanian government and the best part of the Jordanian army. Their loyalty to the Monarchy is deeply rooted and traditional. The support is mutual: in 1971, a tribal council was established to be responsible for tribal and Bedouin affairs. (16)The influential tribes such as the "Al-Majali", receive significant financial support through their support for the Monarchy, for example in the form of targeted infrastructural development (roads, clinics and schools etc). In return, the monarchy receives support and stability.

The elite group surrounding the King is largely drawn from these tribal groups, what Shirin Fathi calls the "traditional elite rooted in a tribal socio-economic context." (17) Together with the King, they represent the real decision-makers or inner executive group. The group consists of the prime-minister's office, the cabinet, the "Diwan", and the foreign ministry. As Fathi says: "The ruling elite is composed of the King's most trusted aides in positions of power and influence in the cabinet, the "Diwan", the foreign ministry and the army (the formal). And lastly, the peripheral, non-executive, political elite refer to members of the parliament and senate, as well as religious, social and tribal leaders (the Informal). Their main function is to reflect public feeling and opinion with no actual powers of implementation". (18)

Naseer Aruri describes Jordan as a "patriarchal oligarchy". (19) The real authority and absolute power of decision-making are in the hands of the King who holds the legislative and executive powers as well as the small oligarchy of "tribal chiefs and landowners". A minority of immigrant Palestinians are allowed to join this alliance (20) but their integration has been variable (particularly poorly for refugees) and they have no gained full representation through this system. Jordan today is little different from the Jordan Fathi described in 1958:

> This is a very special case – a desert sheikhdom of Bedouin tribesmen, under British domination, newly overrun in 1950 by a horde of Palestinian refugees twice as numerous and much more modernized than themselves. The plain consequence, of course, is that the Hashemite Kingdom of Jordan constitutes not a nation in any recognizable sense, but a nominal state with two substantial bodies of population. (21)

In sum, the historical development of Jordan's political structures have been determined to a large extent by external political forces (Britain, the conflict with Israel, the influx of Palestinian refugees), by a consequently bifurcated population (East Bank tribes versus West Bank Palestinians) and by the Monarchy's need to build tribal alliances to underpin its own extensive political domination. Equally, its political cultural basis includes a variety of influences, including traditional (tribal), religious (Islam and "Shari'a" Law) and foreign (British, Hejazi, Palestinian). This is clearly a vastly different process of political development from that experienced in either the West or other less developed countries such as those in Latin America. Despite recent political reforms, Jordan does not possess a functioning democracy comparable to those in Europe or other countries which have most frequently been used for comparative studies of social welfare systems. Rather it is a combination of (imported) political structures which offer a formal framework of representative democracy under a constitutional monarchy and an indigenously-derived although nonetheless relatively recently constructed informal framework of tribal alliances and monarchical patronage. Holding this miss-match together is the need to constantly ward against instability and threats to the regime. In 2002 the government, led by the King, launched the "Jordan First" campaign which was aimed at precisely this, the maintenance of internal stability through " a form of national hegemony that stresses East Bank traditional identities over Palestinian identities" and which places national unity over divisive multiple identities or needs. (22)

2.2.2. *Citizenship in Jordan*

The significance of this combination of very different formal and informal structures of power becomes evident when we attempt to identify the nature of the relationship between the state and individuals that is of citizenship in Jordan. Definitions of citizenship in democratic systems suggest that citizens (regardless of sex, religion and ethnic origin) are equal and enjoy full political, civil and economic rights. (23) As was shown by Marshall in Chapter One, the concept of rights is crucial to the notion of citizenship, as it is applied in most welfare states in the industrialised western countries. In the case of the state of Jordan, two definitions of citizenship are effectively in use; what we may term the *classic* (Western, modern) understanding which forms the basis of the Jordanian constitution; and secondly the culturally-based *traditionalist* (conservative) understanding which is demonstrated in the political reality.

In the *classic* understanding citizenship is "an abstract personhood - the citizen as an "individual" with undifferentiated, uniform, and universal properties, entitlements and duties". (24) Citizenship entails "juridical processes by which legal subjects of a state are constituted.

Juridical processes define the criteria for citizenship in a state and the rights and obligations of citizens in relation to the state". (25) In addition, citizenship may be considered as a set of practices – juridical, political, economic, and cultural. (26) Gerard Delanty writes that citizenship here means that the citizens of a "legally constituted political community have rights, duties, participation and identity". (27) For him, citizenship is partly a state project and partly a project emanating from civil society. More importantly, "citizenship occupies both a political and an economic space in which personal autonomy is guaranteed by the law." (28) In this understanding, citizens are all equal and citizenship has both formal and informal dimensions.

Suad Joseph, however, has argued that, while that citizenship rights are written "in terms of abstract citizens and appear equitable" the "scrutiny of legal texts and empirical investigation of citizenship practices has exposed systematic means by which citizenship, in most countries, has been a highly gendered enterprise- juridically, politically, economically, and culturally". (29) In Jordan, the constitution and the formal political structures suggest the *classic* and modern understanding of citizenship. Yet there exists simultaneously a *traditionalist* understanding which is reflected in the informal structures of power and the political reality and which offers women only a second-class version of citizenship.

How does the Jordanian constitution reflect the modern *classic* understanding of citizenship? According to Article Six, Jordanian citizens are equal before the law. Amawi illustrates that equality in rights and duties, in opportunities, employment, education, training, employment and safe working environment regardless of gender are guaranteed firstly, in the Jordanian Constitution and, later in the National Charter. (30) Since Jordanian citizenship law guarantees equality it is therefore genderless.

The *traditionalist* understanding, however, which is reflected in the political reality (the power of the Monarchy, its dependence on the political support of the influential East Bank tribes, the role played by "Shari'a" law, the lack of genuinely democratic political structures) sees citizenship as equality within cultural boundaries that apply biological determination and assert fundamental differences between men and women. Jordanian women are full citizens in terms of their formal constitutional rights but only second - class citizens when it comes to the application of *traditionalist* understandings of citizenship.

This is clearly reflected in the relationship that exists between the state and civil society organizations (CSOs). The state and its elites emphasise the preservation of traditional and cultural values while civil society organizations (in particular non-governmental organizations - NGOs) press for women's empowerment and full rights of citizenship as part of the broader struggle to strengthen democracy. Women's political activities are caught within this sharp

dichotomy. As a consequence of the influence of the *traditionalist* understanding of citizenship, and as this thesis will demonstrate, social security laws and labour laws are gendered, creating a gendered social welfare system and serving to constantly reinforce the weaker bargaining position of women As a result, women's political rights are further undermined in Jordan. The following illustrates this complex relation in a more elaborate way.

2.2.3. Women's Political Participation in Jordan

Women's political position in Jordan reflects the volatile Jordanian history as a whole. Although women have made modest attempts at self-empowerment, supported by mounting pressure from a range of internal and external sources, the reality is that independent women's movements in Jordan do not exist as do those in the West. Women are considered to be first and foremost members of a family or a clan. They are governed by traditional, patriarchal and religious rules. Jordanian women's activities, as Laurie A. Brand explains, (31) are kept within the framework of religious and cultural borders and therefore they are not free and independent.

> Women's groups in Jordan have been just as constrained by pre - existing practices and social structures as are men's, and that women's groups express no particular inclination or ability to spearhead civility of practice. In fact, women's activist agenda has been monopolized by agencies close to the ruling powers that choose to keep changes for women within society's religious and cultural traditions in order to appeal not only to religious conservatives but also to its more secular camps. (32)

Women's role in politics can be traced to the early nineteen forties. Brand (33) states that the political role of Jordanian women was heavily influenced by the arrival of Palestinian refugees in the Kingdom after 1948. Until then, what activities did exist "were limited, generally involving meetings and seminars aimed at raising awareness of child health and welfare issues. Thus, women's activities were aimed at making women better mothers and at rearing the next generation, not at substantially changing or improving women's socio-economic status of legal position." (34) Brand argues that in this early period women were organized in response to the Palestinian catastrophe of 1948 and their work was devoted to "providing assistance to alleviate poverty or support orphanages and similar institutes". (35) Most organisations were of a charitable nature and were headed by elite's groups of women.

The first such established organisation was led by Princess Misbah, mother of Crown Prince Talal (father of King Hussain) in 1944. From 1951 and 1979, 340 charitable societies were

established. Only 32 were directed towards women's activities. The Arab Women's Federation (AWF); Ittihad al-Mar'ah- 'Arabiyyah), founded in 1954, marked a qualitative change in the history of Jordanian's women activities. The AWF 's goals were "fighting illiteracy; raising women's socio-economic levels; preparing women to exercise their full rights as citizen's; and developing bonds of friendship between Arab women and women around the world to improve the situation at home and to strength peace". (36)

Brand argues that the AWF asserted that national issues such as an "equal rights and responsibilities, and full Arab Unity" were key concerns of women. Furthermore, the AWF made demands for changes pertaining to women's personal status laws, labour laws and electoral laws. In 1954, a demand was made by the AWF to let women vote in municipal and parliamentary elections. Their demands were supported by political parties and other associations and eventually the right to vote was given, although only to educated women. (It should be noted, however, that there was no requirement for literacy in the male entitlement to vote).

The AWF's activities expanded to include demands for equality in all fields of political, economic and social life. They also dealt with the very sensitive area of personal status law, demanding changes in the laws regarding divorce and polygamy. (37) Thus the activity of the AWF continued to elevate public awareness of these issues, as well as their engaging in more broad-based national activities such as demonstrations against Zionism and Baghdad pact. Their activities were abruptly constrained, however, when a coup was attempted and the subsequent clamp-down of political activists in 1957 included the AWF.

During the 1960s and 1970s women's organisations continued to be active but largely maintained a low profile. The Israeli occupation of the West Bank in 1967 encouraged women to become further involved in Palestinian resistance, especially through political organisations which attracted the young, although Brand has pointed out that "aside from the fact that the women were working in the framework of a political organization, the activities were largely traditional". (38) As the Palestinian resistance became more threatening to the Jordanian state in the late 1960s, and into the 1970s, (including a bloody conflict and expulsion of the PLO (Palestinian Liberation Organization) from Jordan in 1970, the state began to more openly ally itself with those conservative groups which regarded women's involvement in politics as being harmful to the honour of the family. This represented a set-back for the women's efforts to improve their public status. As had been the case elsewhere in the world, women were used as instruments of nation-building but their mobilization was confined to serving this function and not to their relative empowerment. Suad Joseph argues that "women had become a subject of

mobilization, targets of political action programs, a mass to be welded into citizens or political followers". (39)

In 1974, the King nonetheless granted women the right to vote in accordance with the terms of the UN Decade for Women and, as a result, a Society for Women's Federation's in Jordan (WFJ) was licensed. The goal was to establish a new era for women in Jordan, including progress in all aspects of society. The King appointed women to his National Consultative Council and in 1979 the first woman was appointed to the cabinet. She occupied the role of Minister of Social Development. This apparent progress concealed the fact that women's organizations and political mobilisation remained essentially controlled by the state. Shortly after her appointment, the new minister established a women's union under the umbrella of the state, signifying the end of any independence role for the WFJ. (40)

A second innovation occurred when Queen Noor became the patron of a new national voluntary organization in 1976, the Business and Professional Women's Club (BPWC). Its goals were announced as firstly being to provide women with legal advice regarding their own small-businesses and secondly to motivate women to vote in the election. Since this time, it has become evident that organizations run by the royal members of the family have more access and resources than others. Until the elections of 1989 and the possibilities represented by the new era of liberalization, such organisations dominated the field of women's activism. Since 1989, however, and despite that resourcing bias, women's involvement in local and national politics has increased with and without royal patronage.

The goals of women's organizations in this new era of liberalization have become more explicit and demanding, including controversial demands for changes to the civil status law, personal status laws, and labour laws. Women received full voting and other political rights in advance of the 1989 election, and were able to stand as candidates for election to the National Assembly for the first time. In fact, only twelve women stood for election and none were successful. The amendment of the election law in 1993 diminished their chances by promoting conservative traditional tribal interests over others. Only three women stood for election in that year, with one being successful (Mrs. Tujan El Feisal, in the Circassian and Chechen, based Third Constituency of Amman). It was notable that she benefited from the minorities quota system.

In the 1997 elections, which were boycotted by many parties, women made a more prominent showing, with seventeen women standing for election. Women's civil society organisations were more proactive in supporting women candidates, and yet in the end no women were elected and Mrs Feisal lost her seat.

During the 1990s, and especially after the ratification of the National Charter in 1991, it did appear that women were to be given more room to run their organizations and pursue their goals (albeit still within limitations). For example, the WFJ, which had been dissolved in 1981, was restored to legitimate status, becoming the Jordanian Women's Union. Although the Union comprises more than 70 voluntary organisations, it is still officially forbidden from engaging in political activities. By contrast, in 1992 the National Committee for Women's Affairs was established and chaired by HRH Princess Basma Bint Talal and is a forum for addressing political issues relating to women directly. Clearly, the political liberalisation does not extend to reducing the patronage powers of the royal family in co-ordinating socio-political initiatives. In 1995 HRH Princess Basma Bint Talal was the founding president of the Jordanian National Rally of Women's Affairs Committees, which aims to mobilise, organise and direct Jordanian women, to improve their living conditions and activate their political role. In the 1997 election run-up, the National Rally was active in support of women candidates, which nominated a number of its own members to run for election.

Mobilisation of women would appear to still be the domain of the ruling elite. This has been evident in the royal initiative to establish a quota of women in the National Assembly which has since been launched. In 1996 a draft election law was leaked to the press suggesting a quota of around 17 women in an enlarged House of Representatives (from 80 to 100 members). A Women's Alliance was established of civil society organisations in support of the idea, demanding an allotment of 20% of seats to women. The Alliance ultimately fell apart over disputes about government infiltration and intervention in its agenda, but HRH Princess Basma Bint Talal had already achieved a notable success when she convinced local authorities to appoint 99 women to municipal committees which were set up to prepare for municipal elections in 1995. Twenty women ran for election to the municipal councils, with ten winning seats and one actually becoming a mayor. In the 1999 municipal elections, 43 women candidates produced eight elected members.

The notion of a quota for women in the National Assembly gained credence and support as it became clear that women faced particular obstacles in translating their willingness to participate into actual representation. When Abdullah became King, he advanced the agenda by finally establishing a quota of six women in the by-now 110-member House of Representatives and by appointing seven women to the House of Senators (out of 55 members). (41)

2.2.4. Limitations to Women's Political Development

Despite Royal support for political mobilisation and participation by women, it is clear that there remain a number of key factors which limit women's political participation in Jordan

First, most women's organizations are established primarily for charitable reasons. Since their activities are not political, the state and the ruling class who dominate politics are not directly threatened by them. The majority of these organizations are dominated, as Brand points out, by women from "prominent families and few have had experience in serious work on women's issues". (42) They do not represent, therefore, a political lobby on behalf of women.

Secondly, women's role in political parties is minimal. A report by the Al-Urdun Al-Jadid Research Centre in 1993 showed that women played a negligible role in the formation, leadership or programme development of the newly-established political parties.

The survey also showed that ten parties did not mention in their programs or basic orientations any clauses or provisions particularly related to women, while eight parties have had one general paragraph about either the necessity of giving women equal rights with men, or defending women's social rights and relieving them of injustices, or the removal of obstacles facing them so that they may perform their task in family-raising, society building, work, wages and promotion. Only two parties had a special paragraph about women's causes in their programs, stating their belief in the necessity of changing women's actual conditions and linking that to social and economic change throughout the country. (43)

The report similarly found that the ratio of women in the founding bodies of the political parties averaged less than 5% and that thirteen parties had no women in their leadership at all, three parties had just one woman and one party had two women in their leadership bodies. With 19 parties registered for the 1997 elections, four years after the initial survey had been made; no growth was shown in these numbers for women's representation. The 1993 survey also showed that women's participation in political parties was low, ranging between 5% and 8.5%. The survey concluded that political parties in Jordan take a basically instrumentalist approach towards women's political participation: it is good when it serves their electoral interests but has little or no intrinsic value. This reflects the prevailing social attitude towards women in politics.

A 1994 study about the political participation of Jordanian women conducted by the University of Jordan Strategic Studies Centre revealed that men and women in Jordan still look at women's role through the expectations of traditional gender roles. Many of them believe that women's capacities are inferior to those of men, especially in the field of political work and making important decisions; they also believe that men are more rational than women. Of course, there is a significant percentage believe that women are capable of political work, but there is also an element to be reckoned with that finds the new roles of women to be in conflict with their

traditional gender role of taking care of the children and the husband and running the affairs of the house. (44)

Where women are politically active, it is more socially acceptable that this should be in an ancillary role – fund-raising, donating, voting and assisting with other candidates' election campaigns.

Shteiwi and Al-Daghastani (45) have argued that women's participation should not be counted therefore as real participation. Women have little influence within parties and fill virtually no high-level positions. Moreover, political parties do not consider women's issues as significant. Gender issues were not part of their political path or part of the national agenda. (46) Leila Sharaf, a former Minister of Information, identified the key societal impediment against women's political participation thus:

> Jordan is very conservative society. It is a society
> of men. Usually men never give their places easily
> for women if we don't push for it. (47)

In the absence of political parties which push forwards the women's agenda, it has been the Monarchy which has taken on the task and it has been free to shape that task as it chooses. As Joost Hilterman of the International Crisis Group Research Institute in Amman has pointed out, Jordanian society is fundamentally conservative and traditional. Women find it very difficult to run for election and even if they do their chances of winning are not great. For women to vote and to be elected is not the rule, it is an exception. It may therefore be fruitful for the King to appoint women to public office in order to set an example or establish a model. The reality, however, is that change has not caught on at the grass roots level despite the interventions of the King and his family. (48) Moreover, critics still doubt the radical moves of the King to increase women's political participation and representation from the top-down. They argue that the concentration of power remains centred in the hands of the King, indeed it increases his ability to push for more or other changes in different aspects of political life. In other words, the King's patronage of women is still an instrumentalist mode of mobilisation and does little to alter the objective status of women's political participation or representations. Moreover, as long as his ability to exercise power depends on support from a traditional tribal base, his willingness to promote the interests of women against a traditional cultural environment will be limited.

2.2.5. Summing Up: Politics, Citizenship and the Status of Women

In sum, the reality of the volatile establishment of the state of Jordan and its subsequent political fragility, and the duality of citizenship rights – the formal modern and the informal

traditional – have had serious implications for women's political role, recognition and participation. The fact is that women in Jordan have a limited role in political life and virtually no impact on political decision-making. This means that there is no dynamic to ensure that their social needs are effectively met. They have no autonomy to act outside or, or against, the state or conservative traditional social norms and structures. They therefore lack political resources to act to alter discriminatory laws in the field of social welfare, health, education, their civil and personal status. (49) Furthermore, and as a consequence of this, the state is under little pressure to either improve its commitment to the social welfare of women, or indeed to implement even its commitments thus far. The state is beholden to conservative constituencies and is unlikely to risk the instabilities which might arise from alienating these groups by challenging their traditional, conservative social values.

2.3. *Economic Development, the State and Social Welfare for Women*

Jordanian women's economic reality is no different from their political reality. The structure and policy priorities of the Kingdom's economy are not oriented towards improving women's lives and indeed, in many ways, make them harder.

According to the World Bank's classification of economies, Jordan is classified as "a medium sized lower-middle-income developing country". (50) Jordan covers an area of 92,544 sq km of predominantly desert and semi-arid terrain, situated to the east of the Jordan River. Less than 50mm of rain annually is received by two-thirds of the total area, and 200mm of rain goes to 9 percent of this area which is considered to be the productive agricultural land. Jordan is therefore a small country with inadequate supplies of water and other natural resources such as oil.

Laurie Brand argued that Jordan's survival has consequently been based on attracting external revenue. She argues that Jordan's strategic position, sharing a border with Israel, has made it a vital ally of, and thus recipient of aid from, foreign powers (British and America). The indigenous economy is weak because agricultural land is limited, natural resources are scarce (mostly phosphates and potash) and human resources limited despite sky rocketing population growth. Fifty percent of its population is under the age of 15 (51) and is centred in the cities. The domestic market is limited and, given the reliance on imports and aid, the economy is profoundly vulnerable to regional and international changes. (52) The key casualty is human resources. Labour migration fluctuates wildly, according to events such as Israel's wars against its Arab neighbours, the two Gulf wars in 1980 and 1991, and the occupation of Iraq by the USA in 2003. These events have seen huge flows of Palestinians as well as Iraqis into Jordan. Arab and foreign

workers with little or no education have been welcomed in Jordan to replace the shortage in labour force in low job categories.

However, with a small productive base, few natural resource exports to generate foreign currency, and demographic growth rates which outpace economic growth, Jordan faces on-going fundamental problems including substantial government debt, poverty, unemployment and an inflated public sector. (53) In this environment, the government's economic priorities have become the development of a competitive service sector, the promotion of the private sector (in order to generate employment opportunities), and privatisation of the public sector (to reduce government expenditures). The consequences of these policies are arguably felt most severely by women.

The dependence on external revenues can be traced back to British support of Abdullah, when subsidies of the young state were never less than £2 million per year. (54) Kingston noted that political elites were content to rely on these revenues and initially neglected more sustainable forms of development. (55) Although King Hussein proved a more enlightened monarch, the dependence remained, transferring instead to US patronage in the 1960s. The incorporation of the fertile West Bank into the Transjordanian economy after 1948 did however allow for a significant increase in agricultural output in the meantime but the incorporation of Palestinians after 1948 and again after 1967 (when the West Bank was lost to Israel) combined with a developing demographic bulge, eroded many of the benefits of economic growth. Loss of the maritime access via the Mediterranean forced the country to develop its internal transport routes and its port at Aqaba, whilst the provision of health and educational services saw the economy slowly moving from an agricultural base to one primarily based on services and – increasingly – on migrant remittances as labour moved to lucrative employment in the increasingly affluent Gulf Arab states. By 1978, services contributed around 63% of GDP, almost double the contribution of agriculture, construction and industrial production combined. (56) Almost surprisingly, economic growth averaged around 8% a year in real terms in the period 1954-67, a figure which dipped significantly after the 1967 war and the loss of the West Bank. Growth recovered after the 1973 war, fuelled by a rapidly developing if still largely SME-based private manufacturing sector, the development of mining and mineral production, the international rise in phosphate prices and – most importantly – the growth in both economic aid (resulting from Jordan's key role in preserving stability in the region) and labour remittances (benefitting from oil price rises and growing demand for labour from the Gulf). Foreign aid income accounted for between 25 and 60% of import earnings between 1972 and 1980, clearly indicating its significance for the survival of the monarchy.

Although efforts had begun to introduce public sector planning in the 1960s, (57) it was only in 1972 that the state began serious efforts to engage in social welfare provision for its rapidly growing, modernising and urbanising population. The state was both the recipient of, and responsible for, the distribution of the foreign economic aid revenues, making it consistent with what has been classed as a rentier economy. (58) Such "rents" could be deployed through provision of education, health services, housing, and direct welfare payments for the poor, bolstering the political legitimacy of the regime. Not surprisingly, this entailed a rapid expansion of the public sector, many of the jobs in which were filled at the clerical levels, or in the "nurturing" professions like nursing and teaching, by women reaping the benefits of their new educational provision. Philip Robins has described the era thus:

If the generation and maintenance of external strategic rents had been key to the establishment and consolidation of the Jordanian state, the role of externally generated funds would be crucial in the decade-long surge in economic development and prosperity that would characterise Jordan in the late 1970s and early 1980s.......The increase in capital accruing to the public sector during this period stimulated an extraordinary expansion in the size and profile of the state. (59)

Robins identifies a number of key consequences. Firstly, the state became the chief employer, with the number of civil servants growing from 27,000 in 1970 to over 74,000 in 1985 and with Transjordanians accounting for the bulk of the increase. Secondly, the state increased the areas of its intervention in the economy, regulating prices, introducing subsidies and developing what Robins describes as a "cosy" relationship with large trading companies and their owners. Finally, the state embarked on numerous large infrastructure projects of its own.

The era of rapid growth culminated in 1980/81 when Jordan capitalised on its border location with Iraq to serve as principal supply line to that country when it embarked on its war with Iran. International sanctions soon cut in, however, and – with oil prices lowering, full-scale war on its doorstep, declining remittances, falling phosphate prices and a general Arab failure to make good on promises of economic assistance, growth plummeted. The Jordanian government resorted to international borrowing to fund its trade deficit, and by 1989 the cost of its debt servicing alone had risen to $900 million (60) per annum. Inflation was rising, the Dinar was depreciating and foreign currency reserves were dangerously low. Finally, the outbreak of another war in the Gulf resulted in the sudden loss of trade with Iraq as well as a new wave of incoming refugees in need of support and a decline in tourist revenues. In the face of crisis, austerity measures were soon followed by an IMF loan agreement which introduced the era of economic liberalisation to the Kingdom. The removal of subsidies, the erosion of government

spending in the public sector, and the eventual privatisation of components of it, all contributed to declining living standards, felt most intensely by the new middle classes and the urban poor.

These hardships, combined with growing evidence of elite corruption and opportunism, led to an unstable political period in the early 1990s, one which Adiba Mango says represented a crisis that was "shaking the regime to its core". (61) Once again, the precarious stability of Jordan's economy meant that the regime was forced to place security above its constitutional commitments to its citizens. Protests and demonstrations were met by both harsh crackdowns and limited political reforms aimed at passifying the disgruntled population. By the late 1990s, however, the economic reforms had largely restored the country's financial stability, although the country was now obligated to its international creditors in new, similarly politically sensitive ways. A brief suspension of economic assistance from both the Gulf Arab countries and its US sponsor had reinforced for the monarchy the crucial role played by that income in its own survival, but Jordan's strategic value had allowed them to play a careful game of only gradual withdrawal of the wider welfare provisions that had previously been so heavily subsidised. As Robins says:

Careful, incremental change also typified reform in areas with a strong impact on social policy, mindful of the fact that perhaps as much as 40% of the kingdom's population now exist below the poverty line. Thus, subsidies were phased out in some areas like fuel, but kerosene and unleaded petrol were exempt, in order not to hit the least well off. The general subsidy on bread was also removed, but targeted assistance was maintained for the very poor. ....The plight of the poor was also partly assuaged by the introduction of the beginnings of a social safety net, notably through the establishment of the Social Productivity Programme, which includes new public sector agencies like the National Aid Fund (NAF), Community Infrastructure Programme and the Small and Micro-enterprises Development Progamme; and the Family Income Supplement (FIS). Though vulnerable to accusations of being little more than a band-aid, the NAF helps 22,000 of the kingdom's most destitute families each year, while the FIS is aimed at lifting families above the poverty line. (62)

When King Abdullah came to power, the economy had largely been stabilised thanks to the programme of economic reforms and privatisations implemented under the previous King, and with substantial international economic assistance once more coming as a result of progress in making peace with Israel. There remained, nonetheless, a foreign debt of around $7,315 million (99% of GDP), a growth rate of just 1-2% per annum (population growth being around 3.5% p.a.) and unemployment rate of between 15% (the official rate) and 30% (the more extreme unofficial rates). (63) Moreover, the state remained the major employer, accounting for almost 37% of total employment by the late 1990s. (64) As the peace process collapsed and Iraq imploded into civil war following the American-led invasion, trade and remittances from its

neighbour fell. The country was already suffering a stagnation caused by declining labour remittances from the Gulf since the mid-1990s, and the new situation threatened the fragile economic stability won by the King's father.

King Abdullah has consequently continued with the policy of economic liberalisation and privatisation. The public sector which had grown rapidly in the 1950s and 1960s, had acted as a means of generating domestic security as it provided employment opportunities which depended on the security and functioning of the state itself. This remained the case during the 1970s and early 1980s which were relatively prosperous years, but when external assistance diminished in the mid-1980s the government had been forced to consider reforming and reducing the public sector in order to reduce expenditure and streamline the economy. The implications of this were complex. Private and public sectors in Jordan are intertwined, rather than entirely distinct. Since the 1970s, and the loss of the West Bank to Israel, the Jordanian public sector has been basically controlled by Transjordanians while the private has been concentrated in the hands of Palestinians. It is not publicly acknowledged that the Palestinians monopolise the private sector and the Transjordanians the public sector, but privately it is a common wisdom. The Jordanians are exceptionally sensitive to this issue. Privately the researcher was told by Jordanians of Palestinian origin (during the three field visits to the area) that the latter is a significant issue for many people. Economic policies are in effect influenced by this division and it plays a part in the considerations of the elite over the impact and implications of privatisation strategies.

Furthermore, Brand argues that the extent of relative contributions of the private and the public sectors to the economy is a complicated matter. Some companies are privately owned but receive heavy subsidisation from the public sector. The private sector is not totally free but depends on government contracts. (65) On the other hand, she contends that the chambers of commerce and industry are closely identified with key parts of the private sector. Some ministers are even considered to be pioneers of the private sector. This close connection between the public and private sectors – has led to charges that the private sector is "parasitic" in being heavily dependent on the state and commissioned projects. (66) Equally, the commitment to privatisation is suspect. Privatization is not considered as an economic ideology as it is in the developing countries, Alquaryoty writes. (67)There is not a real political commitment to privatisation within the elite (who benefit from the close ties between the two sectors) but rather privatisation is an economic policy which stems from economic necessities of the moment. Similarly, Bank and Schlumberger (68) write that the reluctance of the state to embark on comprehensive privatization is due to "a desire to control strategic parts of the economy in order to avoid the emergence of alternative power bases, and from fear of unemployment and its social

and possible political consequences". (69) A dismissal of public sector employees, who are considered to be the backbone of government political stability, can pose a threat to the state's security. The result, conclude Bank and Schlumberger, is that, economic policies like privatisation are implemented only so far as is possible without the state losing its upper hand. (70)

In sum, "the Jordanian economy is a mixed economy where public and private sectors are equally important in the ownership, organization of production, and resources allocation. Public and private sectors' roles overlap in almost all fields of economic and social activities, and there have been no doors closed in the face of private entrepreneurs in Jordan. In effect, the state's role in the economy can be described as that of a catalyst, stabilizer, supporter, and a promoter of an effective role for the private sector". (71) Where state budgets are concerned, the priority is to preserve national security and support economic development to that ends first and foremost.

In 2005, for example, about $757.5 million was spent on development and maintenance of the armed forces, including security and intelligence services, or approximately 8.6% percent of the GDP. (72)

A key element to preserving this security is to reduce the social discontent that arises from unemployment, which is – as shown above – a significant problem in Jordan, especially for those aged between 16 and 24. Thus any reductions in employment in the public sector have to be compensated for with increased employment in the private sector. Jordan has focused in recent years on developing its service sector, based on trade, highly-skilled labour, and light industries such as textiles and pharmaceuticals. Jordan secured membership of the World Trade Organization WTO in 2000, a free trade accord with the United States and an association agreement with the EU in 2001. Information technology and tourism have also been prioritised, the aim is being to create a modern, competitive, open economy able to offset the vulnerabilities previously created by dependence on aid and migrant remittances (both of which are susceptible to external shocks).

Overcoming unemployment and poverty is a key concern of the Jordanian government and civil organizations. Jordanian women's participation in the public and private sectors as well as their formal and informal employment is the function of this. They are disproportionately employed in the public sector and therefore vulnerable to changes in its staffing and deployment.

Eighty six percent of employed women work in the civil service and wider public service, including the vast majority of women graduates.(73) This is not least because the civil service offers significant social provisions for women which are not available in the private sector, such as maternity leave and child care. It is also a result of a cultural preference for women to work in

nurturing professions such as health care and education. Nonetheless, as 49% of the public sector labour force, women's participation here falls below other lower-middle income countries (although on a par with MENA regional averages). (74) Women's wages in the public sector are discriminatory, both directly and in terms of benefits such as pensions, where men are favoured. Despite this, women prefer to join the public to the private sector. It offers them not just greater opportunities, but also security, social status, higher salaries than available in the private sector, shorter and more predictable working hours, access to non-wage benefits and advancement opportunities.

By contrast, the private sector offers women fewer opportunities for either non-wage benefits or career advancement. Only approximately 7% of Jordanian women are employed in the private sector, (75) which sees the statutory obligations regarding maternity leave and child care provision as economic burdens. The majority of women who work in the private sector receive lower wages than men in comparable jobs, work longer hours and have difficulty in gaining the same leave periods. The researcher was told by a number of non-working women during her fieldwork visits that they would rather stay at home than work in the private sector because conditions were considered to be so bad. A large number of less educated women conveyed to the researcher that they would rather be poor than work in what they considered to be a humiliating environment.

Table 1. below shows the main differences experienced by women working in the private and public sectors.

Labor requirement	Public Sector	Private Sector
Minimum Wage per Month	120JD	85JD
Working Hours	7 hours	8 hours
Tenure	Security of Tenure	Contractual
Paid Maternity Leave	90 Days	70 Days
Costa Covered By	Government	Private Sector Employer
Location Leave	1 hour per day	Non prescribed
Nursery Care	Non Prescribed	Fully Funded on-site once married women employed

Source: "Comparison of Public and Private Sector Conditions of Employment for Women". (76)

Given this situation, the implications of government efforts to reduce the size of the public sector and increase the contribution of the private sector are clear for women. Women are losing

their job security and being forced to seek work in a less protected and supportive environment. Moreover, the government has focused its efforts on developing the Qualifying Industrial Zones, or QIZs, which favour foreign, male labour over local female labour. These zones involve travelling further from home on poor transport infrastructure, which is considered both physically and culturally insecure for women. The government has tried to develop specific projects to support youth and women moving into the labour market, and particularly to enable rural women to work in the QIZs, but a growing tendency has instead been for women to be employed outside of the formal labour market.

There are formal government statistics for the informal labour market, which includes mostly low or unpaid rural workers and petty traders. The World Bank (77) estimates that women's participation in the informal sector accounts for 19.4% of women's employment, while officials from the Department of Social Development suggested they amounted to 40% of working women. Women are believed to account for the majority of workers in the informal sector, and they are the most insecure and exploited among labourers.

This brief survey of women's role in the economic development of Jordan suggests a number of things. Firstly, economic strategy and policy do little to meet women's key economic and social needs. Principally, they do not provide women with economic security. Indeed, the lack of employment opportunities which meet the needs of women results in a preference often stated to the researcher, not to work at all. Those who had finished their studies and been unable to find suitable employment instead were forced to stay at home and wait for a husband to take care of their needs. Such women were reluctant to work in the private sector but were unable to find work in the public sector. Where women did work, and of whatever social or economic class they came from, they would invariably emphasise to the researcher during her field work in 2005 that the possibility of a better future and economic security are missing and that what exists does not meet their aspirations for a better future.

It is important to stress that the same women expressed their desire and willingness to work. Women in Jordan need a job so as to earn respect from family members and from society at large. More importantly, they want to be financially independent from their families. The importance of gaining experience and knowledge were also emphasised. Unemployment for a woman means that she remains dependent on her family and may be forced to marry as soon as there is a suitable candidate. In this context, the UNIFEM report of 2004 writes that "economic security does not mean only material aspects of human life but rather it includes nonmaterial aspects. Economic security, besides meeting basic needs, is about personal autonomy, human dignity, and effective participation in community life". (78) The report states that,

> Human security should include the ability of individuals
> to participate and decide on matters and issues related to
> factors that could affect the pursuit of their own lives.
> In this respect, economic security should entail that
> individuals, both men and women, have access to
> changing markets, resources, and credit. It also should
> include the equal ability to take advantage of opportunities
> as well as to protect themselves from risk of economic
> changes resulting from globalization. (79)

2.4. *Assessment and Conclusion*

The state in Jordan has developed both political and economic frameworks which do not favour women or the satisfaction of their needs. The Kingdom's political development has been characterised by a constant fragility resulting from its regional location and its dependence on external political and economic support. The fluctuations of population have led the monarchy to rely on close alliances with traditional Transjordanian tribal groups, with a resulting impact on the degree to which progressive elements of the constitution can actually be pursued. Similarly economic development has been dependent on the maintenance of external revenues and remittances, leading to vulnerability and inconsistency in growth patterns. The state has developed an economic role which revolves around distributing those revenues in ways which can support its political legitimacy (again with the traditional tribal groups often in mind), which can stave off the greatest degree of poverty through generating employment, and as far as possible supporting an indulged private sector in its own efforts to do this. Neither the democratic components of the constitution nor any ideologically-driven vision for development have therefore ultimately shaped social welfare policy and women's particular needs have played little part in its evolution. Indeed, despite a constitutional framework favouring equality of citizenship rights for women, there exists a less formal power-structure which is based on traditional and cultural values and which determines that women have a second-class status in reality.

This is evident in the position of the monarchs themselves, despite their patronage of women's political participation. Abla Amawi writes that in King Hussain's speech from the throne at the opening of the thirteenth Parliament's first ordinary session', (80) he stated that,

> The family or the tribe in our country...is one of the
> cells of society, which make up the entire people.
> It maintains society's lofty ideals, protects its noble
> values, and moves its beautiful traditions and
> generous customs forward. The family-like the
> tribe - has always been a source of honor and pride.
> It has never been … a burden or a source of blemish,

nor has it been a shortcoming or a censure. (81)

In this respect, Amawi argues that the King affirmed the family as the determinate force, the cement, of Jordan society and that "Jordan is built on the concept of "*alusra al-wahida*," the single or united family, and by extension, the tribal families". His speech demonstrates, according to Amawi, two dimensions of Jordanian politics. One is that society should be viewed as a collective family with the King at its head. From this notion "emanates all other notions of national cohesion, the articulation of the rights and obligations of members of the family within the context of a society as a whole, the interrelatedness between the patriarchal family and the patriarchal state, and the promotion of all allegiance around these symbols of family and tribe solidarity in support of the state." (82) Secondly, the state of Jordan attempts to accommodate two contradictory determinate factors but with great difficulty. On the one hand, the state tries to accommodate demands for rapid liberalization and modernisation. On the other hand, it tries to accommodate the desire to preserve traditions and maintain the status quo of the social order and, by extension, the basis of state cohesion. (83)

Women are caught within this contradiction. Social policies are devised largely by men and are based on traditionalist views. This results in disadvantages for women in achieving an equal political and economic role to that of men. Women's work, for example, does not count as socially significant, even if it is economically desirable. The traditionalists' view is that women's work is less valuable than that of men. The natural role of women is the domestic terrain as a mother and a wife of a male breadwinner. When women apply for a job, the employer tells them "why should I employ you while there many males have no jobs. Besides, you will marry and your husband will take care of you".

To conclude, the continuing and prevailing influence of informal, patriarchal cultural influences over the Jordanian state, which derive from its constant need to bolster regime stability in the face of political and economic insecurity, means that women's social welfare needs do not have a significant place within the hierarchy of social welfare considerations and are rather undermined despite the constitutional obligations of the state to its female citizens.

CHAPTER TWO
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The Embeddeness of Patriarchal Influences in Social Welfare Provisions of Women

3.1. Introduction

The previous chapter had pointed to the prevalence of a traditional, patriarchal culture within the state's attitude towards social welfare provision for women. The function of this chapter is to shed light on the patriarchal culture of Jordanian society, to examine its gendered vision of social relations, and to illustrate in more detail how it is reflected in women's social welfare provisions.

The chapter will examine further how the boundaries between the private (family) and public spheres are blurred in patriarchal societies in which specific and differentiated roles are assigned to men and women. Mainstream patriarchal structures are found within the family from an infant age. The relations between members of the family (regardless of social class) are strictly gendered. Sex and age are indicatives of how gender relations are constructed inside the family or private sphere. Males are first on the ladder, followed by older women and with young and single women in effect having little or no status whatsoever. In the public sphere the state holds the greatest political power and, embodying this patriarchy within its own self as it does, it applies the same hierarchy to all public social and economic relations. Men dominate all of the key political, economic and legal state institutions. They are therefore in effect the decision makers and women subject to their decisions. Despite their formal citizenship rights, they are conceived in this public sphere as defined principally by their biology, for example being constructed as mothers of the nation. Moral obligations are placed on women's personal *and* public conduct. Personal status laws are predominantly patriarchal rules and traditions rather than the rights of supposedly democratic citizenship, with fathers, husbands and close male relatives being given a superior status in determining the actual rights of women. Social restrictions against the movement of women which start at home have undermined their political, economic progressive roles in the public sphere.

As Suad Joseph has argued more generally, "when women and motherhood are used as icons of the nation, they too frequently become captive to the structures and ideologies of patriarchy, particularly when men and fatherhood are associated with the state".(1) Patriarchy has enforced the "production of gendered hierarchy and facilitated the institutionalization of gendered citizenship in state building projects". (2)

The parallel and inter-connected patriarchal biases within both the state and the society against the development of women's political and economic roles has led to two structural strategies. First, a policy of physical segregation has been manifested in sectors like education and health. Second, discrimination against women is applied within the social and labor laws. The combined result, as Brand points out, is that "existing national legalization and societal practices continue to reinforce women's exclusion from certain spheres, thus underpinning a general condition of second class citizenship". (3)

The chapter is structured to include three sections. Firstly, the definition of patriarchy is explored and its particular Jordanian manifestation is presented. It is argued that Jordan today demonstrates the peculiar challenges of reconciling patriarchal social organization and traditions with the requirements of modernity, democracy and development. The second section examines the formal status of women in Jordan – how it is depicted in law, in their constitutional rights and specifically in their educational, employment, in their status as citizens, and in their rights to social security provisions. In these areas an initial appearance of gender equality nonetheless masks an embedded social patriarchy.

The third section explains the status of women within the framework of the personal status laws which are based on "Shari'a law". Here again patriarchy is evident, although in a more explicit form. Women are categorically considered as being of lesser status than men within the context of the laws of marriage, divorce, custody of children and, inheritance. Here traditional culture overlaps with heavily with particularist interpretations of Islam. The various sects within Jordan are divided by a number of "Madahabs" (a theologian interpretation of the Qur'an). Women's personal status, in this regard, is decided by each "Madahab." All "Madahabs" are interpreted by men and all carry a traditionalist patriarchal vision regarding gender relation within the family and society.

In sum, the chapter demonstrates that Jordanian women's social provisions with regard to equal citizenship and equal personal status law are effectively undermined by the sharp contrast between the written constitution and the traditional patriarchal culture and "urf", religious laws (Islamic "Shari'a" law with regard to personal status law), which extend patriarchal private or family relations into the public sphere. It concludes that the state and the form of a patriarchal family are so intertwined as to disadvantage women's social provisions despite their equal status as citizens.

3. 2. *Defining Patriarchy and the Challenges of Modernity*

Historically there has been no single society that has been exempted from gender inequality at some point in time. Where these were largely overcome in the industrialized West after the Second World War, this was through the introduction of a range of measures, enacted and enforced through the law, designed to minimize gender inequality in the provisions of education, health, labor market and social security rights. Doing this required introducing and applying equal citizenship rights to both men and women. The constitutions of such political societies manifested these fundamental rights. They were achieved after decades of historic struggle by both men and women. Patriarchal forms have subsequently been diminished and women have become more independent. In this narrative, the introduction of equality in the public sphere progressively eroded social inequality in the private sphere. Although civil society organizations in welfare societies, especially those formed by and for women, were active forces in demanding that laws be reformed to favor women's equality, and then implemented, women's movements would not have succeeded if the state had not been sufficiently secure, stable and ultimately willing to comply and to advance its own activities into the private sphere by redefining the role and status of women.

In contrast, Karam argues that the Arab world has been an exception to a general trend in which the, "boundaries between the personal and the public spaces have often diminished in many parts of the world". (4) In Jordan, the public realm belongs to the state but the private sphere still belongs to the family. Attempts to appropriate responsibility for personal laws are doomed in the face of social resistance from powerful forced. A civil marriage is hardly accepted in most of the Arab world. A religious marriage is always a pre-requisite for a civil one. A marriage contract is a family affair and not the business of the state. A woman of a different religion from that of the man has to covert to the man's religion to be able to marry him. The state has thus made few inroads in the patriarchal structures and values of society.

Patriarchy is used in a casual way and interchangeably as follows: "there is one sex which dominates, another which is subjected". (5) A more advanced definition of patriarchy is that it describes "the political and the social control of women by men". (6) In this regard, and according to Coward, (7) patriarchy as a concept offers two sets of explanations. Firstly it "delivers the history of the relations between the sexes; and second it explains the form and function of male domination". Explanations for patriarchy range from Marxism, which associates it with a materialist concern with relations of private property ownership, (8) to psychoanalysis which views "the history of the patriarchal family as the crucial condition in

imposing reproductive sexual identity". (9) Either way, "patriarchal relations describe the oppression of women by all men. Patriarchal signifies sexism as a particular kind of kinship structure or a residual ideology of male dominance". (10)

In Jordan, as in most of the Arab world, biological determinism frames the patriarchal social policies towards women, and justifies the sexual division of labor and entitlements in the household and social attitudes towards women in public. Yet biological determinism is in sharp contrast to the constitutional commitments to equal rights for men and women in the public sphere. Jordan is caught between the cultures and traditions of the past and the conditions and requirements of modernity and development. As Moghadam argues from a sociological perspective, "the salience of structural determinants other than religion reflects the major social change in the region that has an impact on shaping women's lives". These determinates are of "economic development, the state, class location and the world system". (11) Moghadam is referring to the "contradictions and challenges that patriarchy and the family have encountered and thus a collision between tradition and modernity "which, in her view, are sharply affecting women's private and public roles". She argues that the family is considered to be perhaps the only natural and essential unit of the society. The relationship between the "biological basis of kinship and women's reproductive capacities" has historically and generally impacted on their status within the family resulting in different status expectations for males and females. The husband functions as an "instrumental of earning the family's keep and maintaining discipline". In short, he is the only or main bread winner. The wife's function is "to socialize children into society's normative system of values and inculcate appropriate status expectations, and to provide a stable emotional environment that will cushion the (male) worker from the psychological damage of the alienating occupational world". (12) In short, a woman's function is reduced to that of an "affective, expressive role of nurturance and support". Moghadam draws on the work of others to suggest that a distinction can be made between the "private patriarchy of the pre-modern family and social order and the public patriarchy of the state and labor market". (13) In doing so, she recognizes that patriarchal forms of social organization and tradition can be transplanted into the public sphere and specifically upheld and sustained by the state itself, something which has become a common feature of the Arab world.

The Jordanian family is certainly no different and is indeed held to be the "the fundamental unit of society [which] stresses the mother's role in the socialization of children particularly in raising "committed Muslims" and transmitting cultural values". (14) Moghadam points out with reference to such Arab forms of patriarchy, that during changeable

conditions, such socio-economic difficulty, political uncertainty, and social rapid change, the role of the family and specifically that of the women within it, becomes the focal point of debates about how to respond. Preserving the status-quo becomes a key strategy of social preservation especially for the conservative and traditionalist's keepers of social order. This can have multiple and even contradictory repercussions, not least of which is a transference of the patriarchal behavior from the family to the state. For example, it may be argued that – given an underlying base of male unemployment, women may be discouraged by the state from entering the labor market and competing for what jobs there are. Instead women are encouraged to stay at home and minimize their public roles, with moral virtue becoming the guise of economic necessity. On the other hand, when there is a shortage of male labor, either because of war or labor immigration, the state encourages women to enter the labor market. In a sense, women are considered to have the role of a reserve army, their rights are contingent on the preferential satisfaction of men's needs, demonstrating that women are not considered to be fundamentally equal to men or to have social welfare needs of equal status. In effect, the state applies patriarchal norms to its consideration of women's role in society.

Suad Joseph argues further that there are numerous uses of the term patriarchy, commonalities in Arab usages of patriarchy are as follows:

> Arab patriarchy consists of the privileging of male and elder rights. In Arab societies patriarchy mobilizes kinship structures, morality and idiom to justify male and elder privileges. (15) Saud further writes that:

> Arab patriarchy has been forceful, in part , because of its rooting in kinship, unlike Western patriarchy. The impact of patriarchy for the gendering social laws, citizenship has been profound because kinship permeates all domains,all spheres of life: private/public, state/civil society/kinship, governmental/ domestic. Boundaries between family and state, public and private, civil society and state are fluid; indeed made of integrally connective social tissue. (16)

An illustration of this overspill of private patriarchal structures into the realm of state provision can be found in the acute shortage of women nurses in Jordan. Kawar explains how young women are denied access to employment by their fathers after completing their studies or training. He recounts the particular details of a nurse who was not allowed to work after she completed her studies because her father did not want her to be in contact with her "male patients or co-workers". (17) Nursing in general is looked down on as a profession by society, which sees it as a menial form of employment, and women are thus often not willing

to enroll in nursing college courses to start with. (18) As a result, the Jordanian Nursing Council prompted a campaign on April 2007 to high-light the issue of female nurse shortages and to pursue efforts to counter it. (19) It highlighted as part of the campaign the advantages of work as a nurse in an attempt to raise its social status. However, the combination of patriarchal attitudes towards women working in the field and its low social status has effectively kept women largely out of the nursing labor force. Women's access to this particular labor market is limited because a father or husband can exercise his control against his own females' family members in determining whether they should work outside the home and, if so, in what professions. Thus, for all the efforts of the state to reduce the shortage of female nurses, the private patriarchal realm extends its reach into the public sphere. This should not surprise us: as the Arab Human development Report of 2005 says, "The prevailing masculine culture and values see women as dependents of men. As a result men take priority both in access to work and the enjoyment of its returns". (20)

This feature is not thus exclusive to Jordan. The Arab Human Development Report of 2005, entitled *Towards the Rise of Women in the Arab World(21)* set out very clearly the social and cultural roots of Arab patriarchy and its inter-connectedness with current Arab regimes and states. The relationship between tribal communalism, Islamic collectivism and modern authoritarian state forms have led to the erosion of any gains made in women's status in the early post-colonial period.

> Initially, the all-encompassing Arab state contributed to a greater participation by women in the public sphere, professional fields and social services, as well as to the relative protection of motherhood and childhood. But in the end, bureaucratic rigidity, the expropriation of different social and civic initiatives and the system of local dignitary (a man, of course) as the sole intermediary between authority and society, held women's rights hostage to the nature and vicissitudes of power. The symbiotic relationship between the state authority and patriarchy saw to it that these early achievements soon became opportunities for personal (male) gain….The position of women thus continued to deteriorate with the retreat of citizenship rights and the return of organic patriarchal rights as the final means of self-defense of a society forbidden to engage in the various forms of civic activity. (22)

The report concludes that "sex, good repute and honor" continue to define the boundaries of women's status in society, regardless of the major structural transformations which have taken place to politics and the economy in the last century. Woman moves only within a space whose boundaries are guarded by laws and prohibitions which are established by society, not

the state, and which are tacitly endorsed by the state even when they are at odds with its own stated objectives.

3.3. *Formal Patriarchy (Official State Institutions)*

This section explores the state's application of international conventions with regard to women's equal rights for education, health, labor, and social security. It assesses the gendered nature of citizenship rights in Jordan and their implications for women's social welfare provisions. It demonstrates the ultimate failure of the state to ensure equal citizenship rights for women, which in turn leaves a vacuum in their provisions that must be filled by the family and non-governmental civil society agencies. (The two final chapters will discuss these realms of provision in detail and bring to light the resultant ultimate deficiencies on the overall social welfare provisions for women).

The Jordanian constitution of 1951 states in Chapter Two, sub-headed "Rights and Duties of Jordanians", in Article 6 that:

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

(ii) The Government shall ensure work and education within the limits of its possibilities, and it shall ensure a state of tranquility and equal opportunities to all Jordanians'.

Further articles state:

Article 7: Personal Freedom shall be guaranteed.

Article 20: Elementary education shall be compulsory for Jordanians and free of charge in Government schools

Article 22:

(i) Every Jordanian shall be entitled to be appointed to public offices under such conditions as are prescribed by law or regulations.

(ii) Appointment to any government office or to any establishment attached to the Government, or to any municipal office, whether such appointment is permanent or temporary, shall be made on the basis of merit and qualifications.

Article 23:

(i) Work is the right of every citizen, and the state shall provide opportunities for work to all citizens by directing the national and raising its standards.

(ii) The state shall protect labor and enact legislation therefore based on the following principles:

(a) Every worker shall receive wages commensurate with the quantity and quality of his work.

(d) Special conditions shall be made for the employment of women and Juveniles. (23)

The language of the constitution reflects a modern, international usage of terms and norms and in this Jordan is little different to many other Third World countries who similarly may be said to fail the test of their actual application. In fact, as will now be shown, social provision by the state – far from respecting the quality of all citizens - is highly gendered.

The areas where social provisions are gendered can be identified as follows:

a. the right for education
b. The right to employment
c. the right to Jordanian nationality
c. The right to social security.

a.) Educational Provision

The Arab Human Development report of 2005 (24) write that "despite the tremendous spread of girls' education in Arab Countries, women continue to suffer more than men do from a lack of opportunities to acquire knowledge. In terms of basic indicators, the Arab region has one of the highest rates of female illiteracy (as much as a one half, compared to only one third among males). It also displays one of the lowest rates of enrollment at the various levels of education. This is in spite of the success of some Arab states, most notably those in the Gulf, in increasing the percentage of girl's enrollment and narrowing the gap between the sexes at the three levels of education". (25) However, it (26) stated that, whilst pre-school in Jordan is not compulsory, education is free for all primary and secondary school students, and compulsory for all Jordanian children through the age of fifteen. It is estimated that Jordan has achieved over 95 percent enrollment for its school age children, as compared to only 47 percent in 1960. In general, Jordan has made significant advances in fulfilling its obligations to provide education to all its citizens.

> Thus, in 1960, Jordan's adult population had an average of only 2.33 year of schooling, which is lower than the level in every East Asian and Latin American country [on our list] except Indonesia. By 2000, Jordan's population had higher average education levels (6.91 years) than Indonesia, Malaysia, Thailand, China and Brazil – most of which had started in 1960 with higher levels of education than Jordan. (27)

The World Bank Report highlights multiple problems with this education – the quality of schooling provided, the over-concentration in some fields of study by higher education students, and the miss-match between educational attainments and the needs of the employment market, so one must qualify suggestions that – overall – the right to education has been satisfied by the state. In sum, the report indicates that the state provision of education has not matched the need for critical thinking and innovation which would not only lead to a proper economic return for educational investment but, more importantly for this study, promote significant change in social attitudes towards and of women in ways which would allow them to capitalize fully on educational opportunities. There is evidence, however, that this may change as Jordan has become a regional leader in the recent past in pedagogical and curricula reforms which aim to enhance student-led and inquiry-based learning.

The Report argues that over time, significant steps have been made by most MENA countries to reducing gender gaps in education – parity indexes suggest they are now not significantly different from those found in Latin America and East Asia. In Jordan the Gross Enrollment Rate of female to male students at primary level moved from 0.82 in 1970 to 1.01 in 2003, suggesting there are now more females starting school than males, a situation which only improved through secondary and higher education levels. (28) In fact, the Report states that "Jordan and Syria have the most equal educational distribution in the region, with education Gini coefficients of around 0.45". (29)

However, one area of persistent gender differentiation highlighted by the report is that found in continuing high levels of adult illiteracy. In Jordan, total adult illiteracy has been reduced from 30.8 of the population in 1980 to just 9.7% in 2003. However, whilst male adult illiteracy has been reduced in this period from 17.8% of all males to just 4.9%, female illiteracy has been reduced from 44.6% of women to 15.3%. (30)

This suggests that the actual attendance during these school years is less than their compulsory nature suggests, or that the importance attached to educational achievement in school for girls is still not recognized within family or society. A report by the Jordanian National Commission for Women pointed out that the highest illiteracy rates are found in the southern governorates of Jordan, Maan and Tafileh (26%), closely followed by Ajloun in the north (24%). The northern areas of Balqa and Jerash also share high rates (23) %, while Amman (capital) and Karak (south) have the lowest rates at 13%. The report states that children are subjected to gender stereotypes at an early age (pre-school) and that these feed through as children progress into earlier drop-out rates or lower imperatives for achievement

for girls than for boys. This seems particularly true of rural and poorer areas. For example, in 1999 a survey of primary school textbooks (31) found that 96% of all references to men placed them in public life whilst 66% of references to women found them in a family setting. Men were portrayed as strong, brave, wise, independent leaders, whilst women were portrayed as kind, sensitive and caring home-makers. An Mendani Hendessi says:

> Gender stereotyping affects social attitudes about women's potentials and influence women's self-confidence and esteem. The effects of this are not always felt directly; indirectly and over time it becomes embedded in social attitudes and practices. It is hardly therefore surprising that a large number of girls in Jordan refrain from advanced academic, technical and vocational education. (32)

Though, the UNDP, AHDR 2005 indicates in their survey that 95% percent of Jordanian believe that "girls should have the same right to all levels of education, including university, as boys"; and 82% believe that girls should have the right to choose their field of specialization at university". (33) Irrespective of the result of this survey , the prevailing social attitude is demonstrated by Jordanians graduate young females during a random of interviews with a number of female students in the final year of their studies at the University of Jordan in 2005. . Nonetheless, the majority of them suggested that as soon as they finish their studies, they would like to marry and have children if getting a job is a problematic. They expressed an opinion that "this is what women are for". Clearly the impressive enrollment figures for secondary and further education disguise high drop-out rates for girls – in a survey conducted by the International Labor Organisation in 2002 (34) it was found that marriage was quoted by young women as the prime reason for quitting their education. (35) More than this, a JNCW/ German Technical Co-operation report (36) surveyed young women in 2004 and found that a half of them believed that priority in education should be given to men, demonstrating how the prevalent attitude among Jordanian families that marriage is a high priority for young women and education for young men, continues to be internalized by many of the women in question.

When it comes to obtaining a state scholarship for further study, whether inside Jordan or abroad, women are clearly disadvantaged, with only 19% of studentships for study in Jordan and 7% for study abroad being allocated to female students.

Social restrictions appeared to be the factor underlying this limitation. In short, women are entirely equal to enroll in schools and peruse their studies but the quality proved to be short of its promises. The promise of eliminating segregation between males and females at

many schools, excluding women from decision maker's positions, discrimination between boys and girls in the educational sector has still fallen short of the aspirations and language found in the constitution and indeed the attempts of the state to improve educational entitlement.

b.) *On Employment Provision*

The second major field of provision of women is the employment or work. Sonbol writes that, "given the patriarchal order under which women in Jordan continue to live, it is a wonder that life for Jordanian women, though filled with frustrations and problems, is still comfortable in comparison to Jordan's neighbors and other Muslim countries". (37) Jordan signed the United Nation Convention on the Elimination and discrimination Against Women (CEDAW) since 1980 and ratified it in 1992, albeit with reserving the right to limit compliance of Articles 9, 15 and 16 referring to nationality rights, equity in legal and civic matters, and marriage and family relations. Nonetheless, Sonbol argues that discrepancies between what is signed and how the "laws and the execution of these rights" still persist. (38)

To illustrate, despite efforts of the state of Jordan to involve women in the labor market and enhance female participation in the economic sector, "Jordanian women's participation in the labor force is still "far from needed level." (39) The report on the Status of Jordanian Women (40) writes (Source: Department of Statistics, "Employment Survey: Annual Report 2002," Amman) to the that the "proportion of economically active males is much higher than that of females(39.7% for males and 7.7% for females).(41) The figure has improved according to the World Bank, to 25.5% by 2003 and 26.1% in 2004, but significantly this still lags well behind other Arab countries like Egypt (31.4%), Tunisia (32.7%) or Lebanon (30.2%) and is not much above Saudi Arabia (20.2%) or Kuwait (23.9%) suggesting Jordan remains one of the more conservative Arab countries in this area. (42) Moreover it is well behind the average for East Asia (41.8%) or Latin America (35.3%). Al-Qudsi (43) argues that "Arab women labor force participation is considered the lowest among the six developing regions of the World" and, above all 89 % of women are concentrated in services especially in the social and personal services. The World Bank Report of 2008 suggests that, unlike other developing regions of the world, it is better education women who are disproportionately represented in the work force, suggesting that women who are less educated and/or poorer are more likely to remain so in Jordan. This is at odds with Qudsi's assessment: he writes that "occupational segregation is quite extreme, with females comprising only a small minority in most occupations". Most women, especially those with low educational attainment levels, do

low grade "white collar" work such as being a typist or clerk. Few are skilled or semi-skilled blue-collar workers and they are similarly under-represented in professional or managerial positions.

Moreover, women are usually allocated to jobs where "traditional female skills" are required, such as a degree of patience or precision, often seen as specific qualities of women.(44) For example, 45% of female employees work in the public sector (54,000 employees in 2005). The highest numbers work in the Ministries of Education, Health, Planning, Social Development and Post and Communication whilst the lowest numbers work in the Ministries of Finance, Awqaf, Tourism and Antiquities, Energy and Mining, Water and Transport. (45) The same pattern is true in women-owned private enterprises, three-quarters of which are home-based and the majority of which utilize traditional female skills such as sewing, embroidery, provision of beauty services or production of garments. Overall, only 4% of women's enterprises operate within the formal sector, one of the lowest ratios in the world (average 25-30%). As Mendana Hendessi says:

> Private enterprise in Jordan is male-dominated and women's entrepreneurship is markedly under-developed, marginalized and under-valued, as it mainly operates along traditional gender roles. (46)

Not surprisingly then, most studies focus on formal female labor and ignore the informal sector, and more importantly the women who are engaged in home production such as sewing traditional handicrafts. (47) What is known is that women face greater discrimination in gaining access to credit and financing for their own businesses. They are usually required to have male relatives stand as guarantors for business loans and find it harder to access business networks and other resources than men. With regard to employed women, there is a difference between the rural and the urban, age and educational, as Flynn finds out from a survey executed by 'WIDTECH' project with the CSS (Centre for Strategic Studies at the University of Jordan) (48). She writes that the only sector in which a gender gap in terms of the participation of females is *not* found is within agriculture. Women in the agricultural sector are significantly more likely to work than women in urban regions. (49)

The WIDTECH (50) report writes that "the rate of women currently working in rural regions at 18.4% is significantly higher than the rate for urban regions, at 11.4 %. Agricultural activities account for a significant proportion of women's labor, and women in rural agricultural regions are significantly more likely to work than are women in urban regions".(51) Agricultural income is more likely to be informal, seasonal and unprotected,

(52) meaning that this employment pattern leaves Jordanian women particularly vulnerable. With regard to age, Flynne finds that more elder married women enter the formal and informal sectors than do the young, and married women working show a higher activity in economic life than single women. (53) However, marriage is also a prime reason for quitting employment – jobs which are not sex-segregated are unappealing for husbands, fearful of the sexual harassment or temptation to which their wives may be exposed. Employers too may prefer unmarried women, who have fewer family and childcare responsibilities. The ILO/Ministry of Labor survey quoted earlier found that 68% of the employers interviewed (40% private and 28% public) "expressed a marked preference for unmarried female workers who are perceived to have fewer family and childcare responsibilities. Similarly, because of the need to adhere to the Labor Code requirements of maternity leave and childcare provision, employers [in the QIZs] said they would discourage married women from applying for jobs".(54)

Miles similarly found (55) that Jordanian employers consider married women to be expensive. Although the minimum wage in the private sector (JD85 in 2007) was lower than in the public sector (JD120), and workers were required to work 8 rather than 7 hours a day, private employers are still required to offer up to 70 days paid maternity leave (90 days in the public sector) and to provide funded on-site childcare if they employ over twenty women. However, some of the perceived benefits for women, portrayed as favorable to their specific needs by the state, are ultimately more costly for women. For example, women pay the same pension contributions as men, yet are not able to pass these on to their husbands of children after their death as men can do to their wives and children. The earlier retirement age for women also means they can build up only lower pension funds, leading to greater dependence on relatives for support in old age. Widows and dependents of a deceased man receive their benefits more easily than beneficiaries of a deceased woman. State or employer-provided child-care assistance for women in the private and informal sectors is non-existent and private day-care is extremely expensive. Thus women are often dependent on grandparents' willingness to help out. With regard to other benefits, women who run their own businesses, or who work in the informal or agricultural sectors are unlikely to receive anything at all. Sonbol therefore states that a "discrimination based on benefits against women is a serious hindrance impacting on the employment of women in the work force". (56)

Finally, there is little effective enforcement of any measures to prevent wage discrimination. In effect women in the private sector are paid 45% less than men and women in the public sector 13%. (57)

Sonbol explains that economic status of Jordanian women remains as controversial as ever. Despite the equality article in the Jordanian constitution, women's work is widely considered to be a complementary rather than essential activity. It is a continuation of her work as "natural" duties of house work, with the exception that the former is paid. (58) As Hendessi says:

> Jordanians, by and large, still regard the world of work and business as a male domain and household and care of children as a female domain. This attitude prevails even more strongly outside the capital. Although Jordan has made important advances in education….it is yet to break the taboo of women working outside the house.(59)

The economic role of Jordanian women in the labor market and work has been the target for change by the government. Most recently the National Social and Economic Action Plan (2004-2006) attempted to increase women's participation in the workforce through two specific measures; the provision of ICT Knowledge Stations across the country which would assist women in upgrading their skills and accessing paid work, and an outreach programme to convince parents to allow girls from rural areas to travel to work in Qualifying Industrial Zones (QIZs) producing products such as garments and textiles for exports. As well as stressing the benefits of employment, the government provided free meals and travel to women employees such that by 2007 they made up a total 70% of QIZ employees.

However, women suffer from structural shortcomings especially at the official public level. Sonbol gives a bleak picture of this. She argues that despite efforts by the state to overcome the latter, women work involvement is undermined by the patriarchal nature of the legal system with regard to the "explanatory and executive parts of Jordan's laws" (60) pertaining to labor. To illustrate, women are allowed to work and can work but they need first their father's approval if they are single (earlier example of the nurse whom her father did not want her to work as a nurse) or husbands if they are married. Without the approval of male members of the family, women find it hard to either go to work or even continue to do so. Cases of divorce in Jordan reveal the factor of those women who disobey their husband's disapproval.

Further evidence of patriarchal influences subverting formal state commitments are manifested in the contradiction between state laws and "Urf"(a tribal code of morally-guided behavioral norms) with regard to work. Whilst "Urf" does not prohibit women from working, it stresses that work outside the home exposes women to immoral environments. "Shari'a" Islamic law is not against women working but it also applies the issue of mixing gender and

morality for women joining the labor force. The latter's argument is compounded with assertions that women are physically not able to do work (the biological determination argument is used here) hence the lower mandatory retirement age, and that women are inferior to men and cannot do much of the work men do. With reference to the latter, the Labor Code states that women may not work night shifts or do heavy work that needs physical strength. This argument prevailed in the 18th, 19th, and the 1st half of the 20th century in the industrialized societies. It is still a persistent argument in Jordan especially by the traditionalists and Islamists and has clearly infiltrates the state through the terms of the Labor Code.

The defenders of the above conditions state that it makes women's work much easier than that of men. Women are regarded as being frail by nature, needing to be protected. Arguments which favor the employment and employment conditions of men are thus disguised as being designed to serve women's needs through adoption of norms and values which are rooted in social traditions and religion. Sonbol writes that:

> Because of the patriarchal outlook, an outlook based on
> acceptance of tradition as the basis for legislation, labor
> laws actually differentiate according to gender and   on
> the basis of the need to protect women and   allow   a
> "moral" work environment. Morality and   a "moral"
> sexually segregate working situation in which women
> are protected represent the most important   issue   for
> people who are skeptical about women's employment. (61)

Combined with the technical difficulties associated with employment outside the home (e.g. poor transport infrastructures) and the fear of sexual harassment going to, and in the place of work, this context of strong patriarchal practices against women who work, and the ambiguities of the state's own position in enabling them, woman's incentive to work is undoubtedly diminished. Sonbol sums up that the implication of the infiltration of patriarchal beliefs and practices on Jordanian labor and benefits laws as being a systematic discrimination and failure to meet the social needs of women.

c.) *On Jordanian Citizenship Rights*

Formal citizenship status is perhaps the clearest indication of a state's commitment to equitable status of male and female citizens. Here we see the Jordanian state's failing in even starker relief.

Reading between the lines of the Jordanian Nationality Law of 1954 (amended in 1987), it appears that the law is a mixture of the colonial, paternal British nationality law and

the Ottoman code. It states that "Jordanian nationality shall be defined by law". (62) In the light of the former, a British mother was unable to pass her nationality to her children if she was married to a non-British man. The British man on the other hand was able to pass correspondingly, the Jordanian nationality law states that nationality is granted to (a) those born of a father holding Jordanian nationality, (b) those born in the Hashemite Kingdom of Jordan to a mother holding Jordanian nationality and a father whose citizenship is unknown or who is stateless or whose paternity has not been legally established; and (c) those born in the Hashemite Kingdom of Jordan to unknown parents. Thus, a Jordanian man can pass his nationality to his wife if she is non-Jordanian and of Arab origin if she lives in the country for 3 year or to his wife if she is non-Arab after five years. However, a Jordanian woman cannot pass her nationality to a non-Jordanian man with few exceptions. Children from a Jordanian mother and a non-Jordanian man are unable to have neither their mother's nationality nor residency status in Jordan. Such children will have no access to public schools, social entitlements or political rights. (63) More importantly, those children are not even registered in the passport of their Jordanian mother, which is stamped "Children are not included due to the different nationality of the father". (64)

Amawi argues that the nationality law and the reservations which the state of Jordan registered to the United Nations (UN) convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted by the UN General Assembly on 18 December 1979, reveals two key factors. First, the nationality law is written with a patriarchal conviction that the father's blood ties to the child are the only ones which matter. Second, the nationality law is not associated with a citizen's relations with the land itself. A Jordanian man passes his nationality to his children even if they are born in another country. They also carry his Jordanian nationality even when he carries another nationality. In short, blood ties and paternal linkage are decisive for the nationality of Jordanian citizens. (65)

Defenders of the present nationality law in Jordan claim that it conforms to the requirements of Islamic "Shari'a" law. Amawi disagrees and states that the law is not based on the Islamic law but rather it on "masculinity-based nationalism". In her reading, she states that Islamic law did not address the issue of nationality, but that of "Nassab" which associates the children to their father and not the mother.

A second claim is that the reservations manifest a fear in the side of the officials and address the "higher national interest" of the country. This presupposes that expanding nationality entitlements to be more equitable would pose a threat in two ways. First it would lead to depopulation the Occupied Palestinian Territories by facilitating a huge Palestinian

influx into Jordan and, secondly and relatedly, it would have serious consequences on the meager resources of Jordan as they had to be distributed among a larger population. Amawi argues that these fears reflect a degradation of women's intellectual capacity as well as suspecting their loyalty for their country. She argues that if this is how women are regarded, then the rights of women to vote, occupy a parliamentary seat and other official posts must also undergo serious scrutiny. (66) She summarises thus:

> The nationality law reflects the underpinnings of paternally based citizenship with its main function of reproducing the nation….It underlies the fact that that relationship between the citizen and the start is based on the type of citizen, a male, rather than on a citizen per se. Accordingly, that citizen is the one entitled to a direct relationship with the state and through him the relationship of the lesser citizen is mediated. (67)

The Nationality Law clearly considers women to be second class citizens despite the constitution claiming their equality before the law. The contradictory pattern between these two laws themselves and between the law and reality is reflected in other laws i.e., the social security laws, the personal status law, the passport law and the family registry book.

d.) On Social Security Law

An additional pattern of a patriarchal influence is evident the social security law of Jordan. The first effort to devise a social security law was Provisional Law number 30 of 1978, which was amended with Law Number 19 in May 2001. Law 19 provides for a Social Security Corporation into which employees pay 5.5% of their monthly salaries while employers contribute the equivalent of 16.5% (14.5% for insurances against old age, death and disability and 2% for insurances against work-related injury and disability). Article 3 states that the particular insurances include insurance against work injuries and occupational diseases, old age, disability and death, health insurance for the worker and beneficiaries, family allowances and insurance against unemployment. They cover all laborers over the age of 16 except those in the public sector (covered separately), those "whose relationship with the employer is irregular", most agricultural workers, fishermen and sailors, and "Housemaids and the like". (68)

It is striking that the extent of the law begins by referring to employees in both genders (him/her, he/she) but by Article 13 the gender bias becomes clear. Reference to a Director General of the Social Security Corporation is to "his", "him" and "he" only. Thereafter, the

employee is also deemed to be male, except for particular instances where distinctions are made for females.

The first major distinction, is the age at which pensions may be drawn (60 for a male and 55 for a woman). Women may be compensated for accumulating fewer years of payments only if they have paid a total of 180 monthly payments (15 years) which may be difficult to accrue given their years spent on child rearing. Article 52 specifies that a male employee's beneficiaries include his widow, his children, any brothers and sisters whom he supports financially, his daughters if they are widowed or divorced, and even his parents. For women, the only beneficiaries named are their widowers or un-born boys. Pensions may be paid to mothers (Article 54), widows and daughters (Article 53) of male employees only if they do not remarry although they may be resumed if they later divorce). In other words, the Law presupposes that men are the primary breadwinners and women are primarily dependents. A woman's entitlement to receive the benefits of a dead male relative cease if another man assumes the role of her provider. Moreover, since the majority of women who work do so in the informal and agricultural sectors, there is no social security provision available to them through this law. It is worth noting that a man cannot receive the pension of his deceased wife unless he proves that he is unable to work and that a woman who resigns from her employment can take with her what she saved from her pension but a man cannot. Thus the male breadwinner status of men is not always to their advantage.

Sonbol thus argues that "gender considerations are central to the system, and benefits differ according to gender". (69) A brief look at the statistics provided in the 2006 Social Security Annual Report, the latest available, support this argument. (70)

The report states that in 2006 only 7.5% of women were employed compared to 39.6% of males, and 25% of employment seeking women were unemployed compared with just 11.9% of men. During the year, the number of active insured persons increased by 11.7%, 74.4% of these being male and just 25.6% being female.

Table 1 below demonstrates the vast difference in numbers of males and females insured as well as indicating how women are concentrated in certain economic activities over others.

Table 1: Numbers of Active Insured Jordanian Citizens by Gender and Economic Activity

Activity	Male	Female	Total
Agriculture	7450	1200	8650
Industry and Mining	63251	12414	75665
Trade	38,874	6987	45861

Construction	13414	119811	14612
Transport	9875	1266	11141
Finance and Banking	13507	5,926	19433
Tourism	13993	1584	15577
Other services	264546	114273	378819
Unspecified	250	95	345
TOTAL	425,160	144,943	570,103

Source: Table 1, SSC Annual Report 2006, Amman. P.35.

Table 2 below demonstrates the unevenness of women's coverage between urban and rural areas (reinforcing rural poverty for women in the longer term) as well as the regional variations in the proportion of insured persons who are women which depends not least on regional economic activities and the more conservative attitudes of rural areas being reflected on women's employment in general.

Table 2: Numbers of Active Insured Persons by Gender and Locality of Residence

Location	Male	Female	Total
Amman (central)	123598	64173	187771
Amman (north)	78539	23971	102510
Amman (west)	98233	16314	114547
Zarqa	16367	5814	22184
Sahab	15465	3834	19299
Irbid	16282	6674	22956
Amman (east)	13480	3611	17091
Amman (south)	23337	5190	28527
Salt	8049	3680	11729
Aqaba/Ma'an	12574	1611	14185
Karak and Tafela	8819	3196	12015
Mafraq	2910	679	3589
Yarmouk	3518	4759	8277
Jerash	1758	491	2249
Ma'adaba	1415	590	2005
Ajloun	816	343	1169

Source: Table 2, SSC Annual Report 2006, Amman. P.35.

The report details the variations across economic activities in average wages for males and females. Male are on average paid more in all economic sectors except agriculture and

tourism, with the overall average difference being between male salaries of JD296 per month and average female salaries being JD253. Over the prolonged period of insurance payments, this means that women build up lower insurance "pots" or pensions then males, despite the supposed equality effected through the Social Security Law itself.

Finally, the report provides the accumulative number of pensions being paid out by gender. (See Table 3 below). This makes clear the vast disparity in the financial receipts from the Social Security Corporation of males and females. For a supposedly national provision, its performance falls woefully short and demonstrates an internalized culture of gender stereotyping and male preferencing.

Table 3: Accumulative Number of Pensions by Gender

Type of Pension	Males	Females	Total
Old Age	55618	8073	93691
Disability due to natural causes	14472	1675	16147
Disability due to work injury	2492	104	2596
Death due to natural causes	7628	521	8149
Death due to work injury	1363	63	1426

Source: Table 10, SSC Annual Report 2006, Amman. P.39.

To sum, the constitution of Jordan declares that citizens of Jordan are equal before the law. However, reading between the lines of the laws pertaining to education, labor, citizenship and social security, as well as examining how they are manifested in reality, shows that, whilst they are apparently modern and egalitarian and conform to the UN International Conventions against all types of discrimination, they serve to reinforce the patriarchy that is embodied in every aspect of women's lives.

Not all Jordan's laws even try to claim the equality of women. When it comes to their personal status (as opposed to their status as formal citizens), they are subject to a legal code which is premised on religious "Shari'a" Islamic laws. These address areas pertaining to marriage, divorce, the custody of children and inheritance. These laws are often considered by Jordan's ruling elites as being in some way sacrosanct or holy, and whilst women have at time successfully campaigned for public laws to be made more progressive, there has been always a substantial resistance by the officials of the state to proposed alterations to these laws.

The final part of this chapter sheds light on how these more overtly patriarchal conventions affect the lives of women of Jordan from birth to death.

3.4.   The Patriarchal Influence of the Personal Status Laws

The legal status of women is determined not only through their constitutional rights but more directly perhaps through the body of personal status laws which are derived from "Shari'a" law.

"Shari'a" law is the interpretation of the written words of God found in the holy book of the Muslims, the "Qur'an". Interpretations and explanations of these laws by high religious interpreters is allowed but fundamentally changing them is not. "Shari'a" law established the religious context what God has dictated to his followers to determine the relationship between men and women, what rights they have may have and how they should behave towards one other. Disobedience of these religious directives draws condemnation on the grounds of immorality. Islamic "Shari'a" law is used in Jordan to determine the rights of men and women with regard to marriage, divorce, custody of the children and inheritance.

Other bodies of law within Jordan are civil law, which is largely comparable with, if not drawn from, European (notably French) law and which is mainly relevant to business activity, and the traditional tribal or "Urf" law, which is mainly associated with an informally instituted culture of honor and shame. The latter basically addresses women's behavior in public. This Jordanian legal system is in effect part and parcel of the historical heritage of the Ottoman's empire in the 18th and 19th centuries and of French and British colonial laws. The colonial laws of Victorian Britain and nineteenth century France were themselves gendered and drew much upon interpretations of biblical laws. They have been developed and progressively changed in the social welfare states of France and Britain since the Second World War to enhance equality for women and to advocate their social rights. But the social and political developmental processes which accompanied this modernization have been missing in Jordan, and colonial law has been modified instead through the impositions of Islamic and "Urf" Law which counteract the commitments made to gender equality in the constitution. Consequently the women of Jordan are obliged to abide by Islamic laws regardless of what the constitution promises them in terms of equality before the law.

More than 95% of Jordan's population adheres to the "Hanafi" School of Islamic "Fiqh", or law which they – in theory - consider to be holy beyond dispute. Laws of marriage, divorce, inheritance and custody of children are derived from this. "Shari'a" law in effect holds the "genesis of the Jordanian personal status laws".(71) The legal status of the Jordanian women is enshrined within it as this it established the legal basis for the family unit of which she is a part. (72) Islam is declared in the Constitution to be the religion of the state, providing

the means whereby Islamic law gains its status, and Islamic Religious Courts serve as arbiters of all legal decisions in the realm of personal status for Muslims. Following the Ottoman legal precedent, other religious communities are subject to their own courts systems. In the first instance, cases go to judgment by "Qadi's" and subsequent appeals lie within the realm of the "Shari'a" Court of Appeal in Amman and are not subjected to secular scrutiny. These courts were established by the Courts Establishment Law of 1951, were endorsed by the statement in the 1952 Constitution that "Shari'a"s courts in the exercise of their jurisdiction shall apply the rulings of the "Shari'a" law, and have subsequently been reinforced with the Law on "Shari'a" Lawyers of 1952, the Law on Structure of "Shari'a" Courts of 1972, the Law of Personal Status of 1976 and Civil Code of 1976.

Personal status was defined through a reformulation of the 1947 provision Law of Family Rights. A new 1951 Law of Family Rights drew from Ottoman law, as well as Egyptian precedents, to establish Islamic "Shari'a" law as the basis for personal status in Jordan. The 1976 Law develops the 1951 law in more detail and makes specific reference to "Hanafi" interpretations and precedents. It should be noted that Jordan is not unique in adopting this approach to personal status laws. Saud Josef writes that religion is the essence of Arab politics where religion is frequently accused of being responsible for gendering citizenship and consequently maintaining women's oppression. Josef writes that, "in most Arab states, citizenship has been constituted through membership in religious communities. The effect has been to institutionalize religious identity as political identity. Arab citizens have not been imagined as homogenized, undifferentiated, detached, separable, bounded individuals. The mediation of citizenship through sub-national communities appears to be an alternative to the Western liberal contractarian notion of a direct, unmediated relationship between individualized citizens and the state. The "civic myth" of primordial pre-state religious communities has fostered state sanctioned religious intermediaries between the citizen and the state." Furthermore, the Arab state represents itself as the guardian of the Islamic path; it employs membership of religious communities as a strategically tool in defining its relations with its citizens, for example by institutionalising the religious courts and thus gaining political support from religious authorities which in turn endorse and legitimize it. The latter has made researchers focus on the religious and ethnic communities rather than the role of the state, Josef writes. The intersection of Islam and politics is, however, strongly approved of by particular influential groups in society including traditionalists, some modernists and of course political Islamists. Not surprisingly then religious interpretations of Islamic ideas regard what constitutes appropriate forms of

citizenship for women are both socially and politically powerful, especially when they are deployed within political systems easily open to power manipulation. (73) A practical example might be the case of an Egyptian lady who needs to make a birth certificate for her both children because their father has died. The widow is caught by surprise that "Shari'a" law does not consider her automatically the guardian of her children and without a written will by her deceased husband confirming her guardianship to his kids she is unable to be recognized as such. In this case, their uncle - the brother of the father - is automatically the guardian or another male relative on the father's side. They are the only ones who can apply for the birth certificates for those children. In short, the power of patriarchy in executing personal status law around the Arab world is strongly evident in many countries. This is hardly surprising since – as in religions – the places, institutions and offices of Islam are predominantly occupied by men. They maintain their status within their own religious community by inserting the value of the family, and the male's superior role within it, into all other spheres of activity in which they have a voice. Their assertion of the 'kin idiom', of fundamental intertwining of patriarchal kinship structures, religion and the material world, sustains the status quo in their own favor. Stoweasser argues that this discriminatory attitude towards women in Islam stems from the "Quranic" verses that are often written in "gender specific language". (74) The "Qur'an" mainly focuses on concepts of devotion and worship which are couched in a discourse of morality and immorality framed through the relationship between men and women. Thus it would be hard to escape a second-class status for women so long as Islam serves as the basis for personal status legislation in whatever country it may be applied. We may now turn to specific areas of personal status to see how this patriarchal subordination manifests itself in the law.

On Marriage: In Islam, as in other religions, marriage is a contract between a husband and wife, the purpose of which is to form families and procreate. A wife's duties are to look after the family members inside the home while the husband bears the burden of providing for the family. The wife is obliged to obey her husband and she must seek his permission if she wants to leave the marital house to socialize or shop. Despite the fact that the constitution writes that both men and women have the right to travel, a woman is required to obtain a husband's approval to obtain a passport as well as to actually travel. This raises a key contradiction between citizens who are supposedly equal before the law but at the same time exist in a relationship where the woman is subject to the rule of the husband. (This is one of the principal barriers against women who want to work. Permission of the husband or male

relative is essential beforehand even though the labor law allows women a supposedly equal right to work). (75) This guardianship role is established by personal status law. The legal age for marriage is 16 for males and 15 for females but women under the age of 18 are considered to be under the guardianship of their fathers or male relatives and cannot marry without their permission. Amawi argues that personal status law is also discriminatory in terms of "guardianship in marriage, or the need for a "Wali" to act as mediator for the woman in concluding her marriage". A woman is required to have a mediator to negotiate her marriage. The "Wali" is usually her father but it may be her brother or another male relative if the father is unavailable. A woman cannot be a "Wali". The "Wali" negotiates the woman's marriage and acts as a mediator. The marriage is dissolved if the "Wali" is not happy with the husband's provisions for the wife. The "Wali" role is explained as bringing respect for the woman's position in the family and increasing her prospects in the eyes of her marriage candidate. The discrepancy regarding marriageable age is important to note. The civil code states that the maturity age for a woman is eighteen whereas the personal status law places it at fifteen. To allow a girl to marry at fifteen years old contradicts all international conventions on children's rights. Amawi writes that the "Wali" is in effect an agent who mediates between the female member of his own family and the state in matter of her private life. The woman in this regard has no final say or no right to ultimately object. This suggests that a woman is considered less in terms of emotions, intellectual and economic value than a man, and therefore needs protection. (76) A woman's position is almost nothing. She conceals her wishes and passes them to her guardian. Although women over the age of 18 may in fact object to a "Wali"s decision, and a girl over 15 can have a judge overturn a "Wali"s rejection of a suitor if his grounds are improper, the traditional and informal "Urf" laws mean that a woman's honor is closely linked to her behavior, her financial dependence on the family and their moral support, acting as a major discouragement from disobeying the family's will. Her obedience to the family offers her beneficial social linkages. Disobedience takes all her family privileges that she is provided with away; more importantly she will be looked down at her by the whole of society. Thus the combination of the state's recognition of the role of guardianship and traditional social custom work to undermine the equality offered through the constitution. Moreover, a woman is denied the right to marry a person of a different religion, unless the non Muslim man converts into Islam. The marriage is dissolved if the husband "recants his Islamic faith". The explanation is that children carry the father's religion and not the mother's, further evidence of a preferencing of men over women within the law.

On Divorce: The personal status law gives the husband an absolute right to renounce his marriage and forward a divorce without the consensus of his partner: it is not surprising that Sonbol argues that this is contradictory and discriminatory. The "*talaq*" or repudiating oath is not valid if the man is drunk, asleep, in a faint, coerced or "overwhelmed". Women may petition through the courts for divorce but only on the grounds of failure to maintain, physical desertion, prolonged absence (over a year), a prison sentence (of three years or more) breach of a binding stipulation of the marriage contract or issues relating to the physical and mental health of her husband. Both parties may petition on the grounds of "discord and strife". Where a husband dissolves the marriage through "*talaq*" without good reason, the law requires him to pay compensation worth a year's maintenance as he must do for an ex-wife who is still breast-feeding their children and as he must do whilst she retains custody of the children (until they reach puberty.) A wife who fails to provide sufficient evidence in support of her petition for divorce must remain married against her will.

These legal positions are common in many Arab states which incorporate "Shari'a" law. Divorce is not favored in the word of God but it is permitted by Islam. Indeed Islam provides a peaceful method for dissolving an undesirable marriage. Abuelayan writes that:

> In Islam Talaq(divorce) means to dissolve the marriage contract as when you say, I release the bonds' this means the release of his or her marriage bond. Divorce is a hateful thing in the eyes of Islam. Marriage is not supposed to be a temporary relationship because it is considered as one of the holist of bonds. Divorce on the other hand is one of the most undesirable things that were permitted. The Prophet was reported to have said 'marry and do not divorce because Allah's shakes at the mention of the word 'divorce'.(77)

Divorce is clearly not approved of by God and thus Prophet Mohammed set a number of conditions so as to make it difficult to obtain. Minai summarises these as follows: (1) a man cannot return to his divorced wife unless she first marries someone else and again divorced. The re-marrying and divorcing process must be actual and not fake; (2) a woman becomes divorced if the husband pronounces the word "I repudiate thee three times in succession"(3) the man must maintain his ex at least for 3 months until she proves that she is not pregnant. (78)

However, divorce in Islam may not be as gendered as is often considered according to a number of writers Sonbol argues that divorce has become gendered since the intentions of the personal status law which is derived from "Al-Shari'a" became overshadowed with the

view that "natural characteristics differentiating human beings from other species form the bases upon which are based the legal principles regulating man's social existence", the differentiation is made whether "the human being is male or female; a husband, widower, or divorced; a father, a legitimate one; or whether he is legally competent", Sonbol says. Thus a patriarchal vision of how the relationship between men and women should be has become embedded in the personal status law.

> The method used in formulating modern Shari'a laws was talfiq (patching), by means of which of western laws and the interpretations of various madhahib (schools of law) were merged together to compose what became known as 'personal status laws' to handle gender and family relations. Even though what was being set up was a new system, it was bundled into a "legitimate Islamic package. (79)

In this process, the biblically-influenced colonial laws were merged with the Islamic laws inherited from the Ottomans to establish a fundamentally patriarchal perception that women are "less reliable than men and are moved by emotions rather than by their minds and less able to remember facts, and that thus women are more liable to sin by nature and must be protected and watched over", as a legal principle. (80)

Divorce in Jordan creates a number of particular difficulties for women. Men usually have work and are financially better off. If women ask for the divorce, they have to go to a Jordanian court. The court decides for her "nafaqa" (alimony) and arranges the visits of the children. The alimony can be decided by two arbitrators who are appointed by the judge from both families. Most alimony mounts to 50 Dinar a month. Men often manipulate the arbitrators and escape payment. The courts can take a long time before laying down their judgment and women are mostly left with no support until the decisions arrive. Recent changes in the law which are currently taking place in Jordan, have introduced "khul" – the possibility that women may chose divorce but even here the man has to agree and can ask for financial compensation so as to let her free. In short, the "khul" type of divorce in Jordan does not mean a woman is free to ask for a divorce. This demonstrates a fundamental contradiction between the constitutional article that men and women of Jordan are equal before the law. Women of Jordan, particularly women of low social background, of poor family or who are unemployed, are the most affected by the discriminatory personal status law.

On Child Custody: In the first instance, custody of children is in effect decided by the "Shari'a" courts. The court decides the amount of alimony and the child support which

divorced women receive. Whatever decision the court applies, men have to abide with the rules. However, custody of children is gendered. Islamic schools are different with regard to the interpretation of the Words of God in the "Qura'an". Each school lays its understanding of what each religious law means for both men and women. Beck and Keddie writes that Hanafi law states that custody of children is with the mother until her sons reach age of nine and daughters reach age of eleven; in "Malki" law, mothers can have their children until the age of puberty for sons and daughters until they are merry. In al-"Shafi" law, children are given the choice with which parent they can live at age of seven. In "al-Hanbali", sons are given the choice with which party of the parent they can live, but girl's custody goes automatically to the father at age of seven. A woman can lose her rights for custody if it is proved that she is incapable "physically or morally" and if she marries a man who is not related to the child within the "prohibited" degrees. (81) In Jordan, women retain custody rights till the children reach the age of puberty (and other custodians until boys are 9 and girls 11. However, in accordance with "Hanafi" law certain conditions are applied for mothers entrusted with the custody of their children: 1. she must be "trustworthy"; 2. dedicated to her trust; 3. must not have anything distracting her from her obligation; 4. she must be able to raise the children; 5. she mustn't remarry otherwise she will lose her children's custody. If she remarries, she will lose custody rights when the children reach the maturity age; 6. If she travels outside the country, she must get the father's approval. (82) Such conditions are not applied to fathers seeking custody of their children. "Hanafi Madhhab" sees marriage and divorce as follows: (83)

Abu Hanifah's Rules	
So long as there are good relations between husband and wife, divorce is prohibited.	
It is forbidden to give three divorces at a time, and whoever does so is a sinner.	
The amount of dower can in no circumstances be less than ten dirhams. (The idea is to prevent thoughtless divorces, for poor people would not find it easy to pay such an amount.)	
Consummation of marriage makes payment of the full dower compulsory.	
Skin diseases (e.g., leucoderma) are no grounds of dissolution of marriage.	
If a man divorces his wife during his last illness and dies during the 'iddat (period of probation), the wife is entitled to inherit from him.	
A revocable divorce is no legal bar to sexual intercourse; for the marital connection is not broken by a minor	

misunderstanding or quarrel.	
For the revocation of a divorce, an oral declaration is not necessary. Any act indicative of reconciliation is enough (the idea is to facilitate reconciliation and revocation of divorce).	

The "Hanafi" School is particularly concerned with an understanding of worldly needs, and especially the needs of a growing society. Furthermore, "Abu Hanifha", the founder of "Hanafi Madhhab", is supportive of moderating traditions and reason. His critics argue that "Abu Hanifha" committed errors as any human being would, that he was "mujtahid" (interpreter of "Qura'nic" verses) and not a prophet and, therefore his "Madhab" does not ultimately offer reasonable interpretation. However, "Abu Hanifa Madhab" is still followed by millions of Muslims, especially with regard to Family Law and Personal Status Law, including the majority of Jordanians. Thus this patriarchal approach to personal status and women's rights is accorded broad popular support when it is infused into the formal legal system.

Amawi addresses another discriminatory dimension of a woman's right to custody of her children in Jordan. Custody of children law in Jordan is associated to the civil code, which regulates the relationship between the citizens and the state. This is regulated through legislation, including the constitutional, administrative and financial laws, the penal code, and private and public international laws. "As stated, however, in section 2, no.2 of the civil code, 'if the court shall find no provision in this code it shall decide by the rules of Moslem jurisprudence which are more adaptable to the provisions of this code, and if there is none then by the principles of the Moslem "Shari'a". And if there is none then by custom, and if there is none then by the rules of equity". (84) Amawi argues that custom is an ambiguous word. It is confusing and can be interpreted in various ways. Custom as it is explained by the civil code is that of "general, ancient, stable and continuous .and shall not be in contradiction with 'provision of the law, public order, or moral". (85) Often this custom is left to judges of the town and most judges are men who base their judgments on the customary view that women are less than men. Thus even the Civil Code contains a default mechanism which acknowledges Islamic and traditional customary law, both of which are in stark contradiction to the gender equality promised in the Civil Code.

On Inheritance: One of the key aspects of the personal status law is the issue of inheritance. In Jordan, the inheritance law is an application of the Islamic law in this regard. Women may inherit their father, mother, husband or children under certain conditions, from

other family members. Women's share is still smaller than that to which men are entitled. Daughters inherit only half as much as son. The argument in this regard that women have no financial responsibility towards their husbands and children. A   daughter's share can be further diminished by legal transactions related to assets that fathers undertake with their sons while still alive. Women can also be pressured into waving their right to inheritance (86). If the man has only daughters, his brothers are first entitled to his wealth as they are the ones who will take care of their sister in law and their nieces. Thus, the Jordanian Inheritance law is reflecting the Islamic Inheritance law.

 "Inheritance law is one of the obstacles undermining women's position in Jordan". "When the man dies, it becomes a very critical period for the wife especially if she has only daughters. It needs to overlooked and make changes". (87)

In early Islam, inheritance rights were laid down according to the concept that man is the sole provider of the family. Islam does not recognize "the law of primogeniture": as Abuelay quotes from the "Qura'anic" verses:

> *Those of you*
> *Who die and leave widows*
> *Should bequeath*
> *For the widows.*
> *(Qura'an, 2.240)*
>
> *From what is left by parents*
> *And those nearest related*
> *There is a share for men*
> *And a share for women*
> *(Qura'an, 4: 7)*
>
> *God (thus) directs you*
> *As regards your children's*
> *(Inheritance): to the male,*
> *A portion equal to that*
> *Of two females: if only*
> *Daughters, two or more,*
> *Their share is two or more,*
> *Their share is two-thirds*
> *Of the inheritance;*
> *If only one, her share*
> *Is a half.*
> *(Qura'an, 4: 11)* (88)

Islam explains that a woman is given half of the inheritance of a man since the man is responsible for taking care of his extended family, wives, daughters, mothers etc... A woman can spend her share the way she wants but a man cannot. If a man dies, the brother or a male

close relative will take care of the man's wife and children. In short, females will be always looked after by their male relatives. This is basically a tribal norm that has been embedded in Islamic texts. Similarly a woman inherits only part of her husband's wealth when he dies because it assumed that her sons will provide for her during her widowhood. Daughters inherit half the share of their brothers because their husbands will take care of them when they marry and so on. (89)

Although offering certain clarity, Zarinebaf-Shahr argues that this form of inheritance law can create conflict among the family members. With regard to property, courts during the Ottomans at the seventh century were overwhelmed with cases (about 39%) regarding conflicts between the "heirs - brothers, sisters, co-wives, husbands and corrupt officials". If a woman inherited a land estate or had a share in a residential unit, she often found herself threatened or persuaded to hand it over to a male relative or give it up all together so as to avoid an escalation of the conflict among her family members and to preserve the family unity. Conflict arose too when a woman's share was sold without her consent or her signature on it. (90) Zarinebaf-Shahr that since the law is little different today, and given women's still vulnerable social position, such things continue to occur.

Brand also challenges the presumption in "Shari'a" provision" that women are always looked after by their male's relatives and therefore do not need as much inheritance as men do. The latter puts women in the disadvantage position and that they are not able to have an independent source of "saving".(91) Cases of inheritance conflicts are common in the Islamic societies especially when women feel threatened by their male relative's intention to take it away from them since this is often their only source of financial security. However, Haifaa Jawad (92) argues that

> Theoretically speaking, then, the position of Muslim women as far as inheritance is concerned is secure and guaranteed by the Islamic law. But, in practice this is not the case. Constantly, the Divine instructions concerning women's rights to inheritance are violated and overlooked by Muslim societies. Social, political, economic and cultural factors play a major role determining who does and who does not take a share. In such situations the weak (in this case, women) have always been kept at bay when it comes to their rights to inheritance. (93)

Moreover, women are pressurised to give up their inheritance by their own brothers or male relative if they have no brothers. Haifaa Jawad confirms that

> Very often, very strong pressure is applied on women to renounce their shares for the benefit of the immediate male members of the family. This is particularly the case when

women are well off or married to wealthy men. Their due is automatically written off and transferred to their mail relatives. Whether they like it or not they are all too often forced to accept the loss of their shares. If they refuse, they are accused of being selfish, greedy, inconsiderate and irresponsible. Often, this has led to tension, friction and conflict of interests among the members of the family, shattering the whole concept of caring and sharing which lies at the heart of the Islamic faith. (94)

Lawyer & women's welfare activist Ms. Asma Khudr says: **"**Inheritance law is an obstacle against empowerment of women. It creates misery, conflict and unjust towards women's share of inheritance. Jordanian women rights activists are taking this issue seriously. We need to work harder in order to achieve a justifiable change to the laws of inheritance, taking into account the rapid social and economic changes in the life of Jordanian women". (95)

Nadia Boshnaq writes that "women are still limited by the power and domination of their brothers not to have a free hand in using their inheritance". (96)

3. 5. *Conclusion*

The argument of this chapter is that the social welfare rights of the women of Jordan are caught in a fundamental contradiction between the equality promised them by the constitution and a profoundly patriarchal system of laws and influences which derive from a combination of religious institutions and laws, and traditional social practices. The chapter has demonstrated how women's rights and entitlements in key areas including educational provision, employment law, and social security provisions are deeply gendered to the disadvantage of women, despite language and maybe intentions to the contrary. The chapter further demonstrated how this was an inevitable consequence of a gendered approach to the actual rights and enactments of citizenship itself, which contradicts the basic equality promised by the constitution and which the state proclaims to be its intentions. This discrimination is even more deeply evident in the Personal Status laws which govern women's rights in marriage, divorce, custody, inheritance and so forth. Here Islamic law prevails and, where it does not reach, the default lies with customary or traditional law, both of which embody unequal gendering. For Islam, women are subordinated to a biologically-determined (and thus inescapable) dependence on men, which requires their obedience. For traditional "Urf" law, women are lesser beings whose behavior must at all times be guided by the honor-shame dualism. The state itself, in sum, is a patriarchal set of institutions and

practices which fail to deliver the social security of women. For the state, the father or the husband is conceived of as being the contact or intermediary between the state and women and thus women have less   voice, less access and finally fewer rights.

This form of patriarchy is not a phenomenon associated only with Arab states. All societies irrespective of their geographical position or political and economic developments remain patriarchal. What makes some more and other less is the historical development of its own political, economic and social forces and, more importantly, the degree to which there is a separation between religion and politics. This separation has not taken place in almost Arab states – although many retain secular constitutions, the status of religious law, particularly in the realm of personal status – remains almost sacrosanct. Those writers and scholars who call for such a separation are met with fierce opposition by the religious establishments and conservative elements within state's themselves who are keen to retain religious endorsement of their right to rule (in the absence of a popular mandate). In welfare state regimes (as was discussed in the first chapter) key women's social provisions - those pertaining to marriage, divorce, custody of children and inheritance - are all dealt with by a single body of family law which seeks to eradicate differences between the rights of men and those of women. There, the private becomes public as Karam (97) has argued. The development of individualism – tied to the culture associated with citizenship - and the separation of religion from the state enable women to fight for their equal rights. Furthermore, democratic forms of government which recognize the right of all women (usually at the age of 18) to vote and elect their political leaders on an equal basis to men, has ensured they have been able to develop a political role effectively. Yet in the Arab region, where there is no substantive democracy, and where the divide between religion and politics has failed to materialize, women have retained their subordinate status as much because of the state as in spite of it. Fundamentalist religious elements, conservatives and traditionalists in the Arab societies have sought to influence the State to retain their own political and social status by resisting either the fundamental social changes or the structural state-level changes which would enable women to break free of this patriarchalism. Moreover, such resistance is legitimized by concerns that Arab society must retain its distinctiveness, traditions and culture in the face of external efforts to colonise or otherwise subordinate it.

The state has tried to improve the status of women in ways which can enhance the social fabric, improve the economic potential or Jordan, and reduce poverty. However, the state remains heavily influenced by the traditional patriarchal conventions of its key political allies. Its political stability depends on the traditionalists and conservatives elements of the

society, particularly on the tribes. Since they form the backbone of the army, they are especially important given that Jordan shares a border with Israel and includes more than one million Palestinians within its own borders. This weakness – the lack of autonomy of the state from traditionalist social forces that seek to capture its modernist agendas – is one that the state of Jordan needs to constantly consider in any social planning for the equality of Jordanian citizens.

Finally, women in Jordan do not enjoy equal social provisions as men. Citizenship rights and personal status are limited and unequal. They are shaped by patriarchal social traditions and practices in a system that considers the male to be the dominant figure in both the public and private spheres. As a result, the women of Jordan are caught between two paradoxical realities. In the public sphere women are considered to be constitutionally equal to men if they are not so in the details of citizenship law; in the private sphere they are deprived of any equality at all. As a result, women's social welfare is in reality left largely to non-state providers to manage. The following chapters discuss how the family becomes the principal provider for women, and with what limitations, as well as how non-state but nonetheless public provision can be delivered by civil society organizations, albeit once more with limitations.

CHAPTER THREE

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CHAPTER FOUR

The Family, the Tribe and Women's Welfare Social Provisions in Jordan.

4.1. Introduction

Both the state and women in Jordan have an interest in the provision of women's basic social welfare needs. Enhancing this provision serves the progress of the whole society at both the political and the economic levels. However, whilst at a superficial level it appears the state has made commitments to such provision, the previous chapters have demonstrated that the reality of women's social provisions is very different. Women's basic social welfare needs are not provided for by the state. Whilst the latter undoubtedly is concerned to provide education, health, employment insurance, housing and other forms of social welfare provision, it is more preoccupied with provision of quantity (and measurable outcomes such as numbers of female school enrolments) than with the quality of provision. The state's statics certainly demonstrate that there are more girls attending schools and universities as well as joining the labour force, than ever before. Yet our discussion so far has shown that when it comes to the legal and social rights of women, traditional, patriarchal norms and structures prevail. Despite the efforts of the state in some areas, its failings in others mean that women are still unable to own their own destiny. Since the state does not ultimately provide for women's social needs, who does? The prevailing influence of traditional patriarchal norms and institutions (like "Urf" law) suggest that the responsibility for women's social provisions remains primarily with the family, both in its nuclear and extended (tribal) forms.

The relationship between the state and tribal groupings tribe is a solid and historical one. The army is staffed by men drawn from tribes loyal to the monarchy, such that the security of the state is dependent on these associations. Similarly, the political elites are heavily weighed in favour of tribal and large family associations. The majority of members of the parliament are drawn from the large influential families and tribes. With such a structural inter-dependence between state and tribe, it is unsurprising that the traditions and norms of the tribe and the family have permeated the infrastructures, legal frameworks, policy orientations and implementations of the state. Patriarchal notions of honour and shame, embodied in the behaviour of women and the expectations placed upon them by men, determine how women actually interact with the state and the public sphere to a much greater degree than the official statements of the state in favour of a progressive status for women. Informally, and in some

cases more formally, the state endorses this influence.

This chapter moves our discussion on to examine these tribal and family attitudes towards the status of, and provision for, women. It begins with an examination of the role of the family in Arab culture more generally, and then assesses the particular status and provision accorded women within Jordanian tribal tradition and practice. The most unambiguous discriminatory aspect of this is the continued practice and social endorsement of so-called "honour killings", the murder of women accused of bringing shame upon their family through illicit or immoral activities. The chapter will argue that this amounts to a denial of the most fundamental right of women – the right to life- as well as the right over their own bodies.

Drawing on interviews conducted by the researcher in Amman in 2005, the chapter will then discuss how, despite the socio-economic and political changes being brought within Jordan as a result of modernisation and globalisation, the culture and traditions of the tribes continue to prevail within Jordan, placing women in an increasingly untenable and harsh new reality. In this regard, UNDP, AHDR of 2005 (1) writes that "Arab tribal society understood very well the structural and functional importance of women to its existence. It viewed honour, respect and protection as a unity linking any one of its members with the whole and thus also the women with the whole. This made any interference with the status of women a matter touching the very heart of her kinfolk's security and standing." (2) Far from amending patriarchal culture in favour of women and the provision of their social welfare needs, the result is that the discrimination against and subordination of women becomes more deeply entrenched whilst the protection and support of the family which supposedly accompanies their secondary status is progressively diminished.

The interviews drawn upon here are of two types. The first type includes a series of seven group interviews, conducted in "Ajloun", "Irbid", "Zarqa", "Karak" and Amman. The group interviews were organised on the researcher's behalf by Heads of local branches of the Jordanian Union of Women. Through a Jordanian friend, the researcher got in touch with Mr. Zayad Alw'nha (Head of The Civil Society, "Lahab") which educates young Jordanians (female & male) towards keeping the environment healthy and promoting the welfare of human beings. Mr. Al-Aw'nha proposed all the following names and contacts of heads of civil society organizations that work on the social welfare needs of women. These were as follows: Mrs. Amaal Al-Qwsmha, (Head of the Jordanian Union of Women in "Ajloun"), Mrs. Fatma Al-Ubaydat, (Head of the Jordanian Union of Women in "Irbid"), Mrs Nadia Bushnaq, (Head of "Zarqa" Housewives Association), Mrs. Nawal Al-Fa'ouri, (an Islamist activist for the improvement of the Jordanian Family working at the Ministry of Social Welfare, in Amman),

and HRH Princess Basma Bint Talal, (Chairperson of the Jordanian Hashemite Fund for Human Development (JOUHD) under whom worked Mrs Nuha Muhreiz, the Programme Manager of Human Resources and Women's Empowerment at the Institute of "Zenid".) These contacts then organised the group interviews. The groups ranged in size from the smaller of just two women, to the largest in Amman which included 26 women. They were held in the offices of the organisations and women were voluntary participants, invited to attend on the basis of their membership of the organisations in question.

Whilst this assistance in bringing women together for group discussions was invaluable in accessing women from a range of regions and backgrounds, it did have limitations. For a start, the participants were self-selecting and included women already engaged in activities dedicated to their own empowerment. On the positive side, this meant that they were to some degree all self-aware as women, and reflective of the need for, and impediments against, their own welfare improvement.

Being dependent on the assistance of local intermediaries meant the researcher had little control over either the size of the groups or the particular arrangements under which we met. In Amman, for example, the group of unemployed women whom I met through the Institute of "Zenid", arrived at different times, and – given the group size – conversation was noisy, interrupted and difficult to coordinate. Some women remained silent throughout the meeting, whilst others were too far from the researcher for the tape recorder to catch their contributions. In order to develop a real engagement between the researcher and interviewees, it was necessary to cease efforts to tape the meeting and concentrate on listening to the women. The other four group meetings were easier to record and to engage all participants since they were smaller.

By going through intermediaries, and conducting the meetings on the organisations' "home grounds" it was easier to establish a relationship of trust with participants, which was enhanced by my ability to speak with them in Arabic and my own clear Arab origin. The issues we were discussing were of a socially sensitive nature, and thus it was considered more important to arrange interviews in conditions which led to trust, then to ensure empirical representativeness of samples, or more formalised and structured interview arrangements. The group interviews were necessarily semi-structured and managed as focus groups in which participant contributions were used to develop discussions more broadly. They lasted between two and three hours each and included women between the ages of 23 and 35. Almost all participants were unemployed, although a few held part-time jobs in the social service sector. They included both married and unmarried women, graduates and non-graduates. Whilst it is

acknowledged that these groups did not include older women, women with full-time employment, or women from all regions in Jordan, they did provide lively illustration of the obstacles facing women in achieving their social welfare needs. Ideally, a focus group interview would include between 8 and 12 participants and last between one and one and a half hours. The realities of fieldwork in Jordan meant that the ideal situation could not be achieved, however the groups did "provide a valuable insight into both social relations in general and the examination of processes and social dynamics in particular" (3) thane would hope for.

The second type of interview took a more formal, structured one-to-one form of interview. The focused interview is an "open-ended character". (4) This type of qualitative interview allows the interviewer to ask the questions and the interviewee answers in the way, she / he likes. There is an interaction and interactive communications between the interviewee and the interviewer. This type of interview turns into sort of a constructive dialogue that builds a type of trust between the interviewer and the interviewee. It involves that the researcher has an aim in the mind and with the focused interview can be reached because the interviewee is freer to talk. It is "flexibility and the discovery of meaning, rather than standardization, or a concern to compare through constraining replies by a set interview schedule, characterize this method". (5) The researcher interviewed a number of Jordanian high position civil servants work in governmental positions, academics and women activists.

4.2. The Family within the Arab Context

Barakat contends that the Arab family is the "basic unit of social organization in traditional and contemporary Arab society"; it is "a relatively cohesive social institution (6) and the core social institution within society. It is characterized by a sexual division of labour and by male domination over women. The family is key to the identity of the individual – it provides the means for channelling protection, security and provision for members of society and is the prime location of 'socioeconomic activities in the Arab society". (7)

Whilst it is true to recognize that the contemporary Arab family unit has been altered by political and economic development, and is progressively more inclined to its nuclear form – at least in urban areas – the links of the extended family remain strong and important, as do the a hierarchal sexual division of labour and the domination of males over females. Common forms of family relations and behaviour are found across the Arab world regardless of the type of family (nuclear or extended), the geographical area, the levels of education, or the urban as opposed to rural or even Bedouin lifestyle. Ehud Ein Gil and Aryeh Finkelstein

have referred to this Arab resistance to the modernization of the family as "stubborn conservatism" in the face of "Changing reality". (8) Three decades later, UNDP, AHDR 2005 (9), writes that "the family continues to be the first social institution that reproduces patriarchal relationships, values and pressures through gender discrimination. Such pressures on women increase in violence at times of crisis when a woman becomes subject to surveillance. The man's right of disposal over her body, his watch over it, his use of it, his concealment, denial and punishment of it all become more blatant. This violence in turn comes into play to intensify the feminisation of poverty, political misery, dependency, domination and alienation."(10)

Arab families are not, of course, all identical. There are three types of families, which Lutfiyya argues reflect the social contradictions in Arab modern history. The nuclear family consists of father, mother and offspring and often exists in urban centres. Its main purpose is the "fulfilment of the biological function and it is seldom economically or socially independent"; it is usually subordinated to a "larger and more important kinship unit." The second type is the "a'ila or joint family" . This consists of a father, the mother, and unwed children as well as the wedded sons and their wives and children, unwed paternal aunts, and sometimes even unwed paternal uncles. This type exists mainly in the rural areas and it represents a bond of blood relatives governed by, or derived from, the grandfather of the eldest male. When the grandfather died, his land is divided among the heirs and the male children each become the nucleus of a new "3a'ila". (11) Finally, the third type is that of blood kinship unit, the "hamula" or clan. It consists of "all those who claim descent from the same paternal ancestor regardless of whether they live in the same village. Usually the village is composed of two "hamulas, and each hamula of several joint families". In this regard, a member of the family is always identified with the other members of joint families through the composition of his name. In short, the Arab societies are in effect a family society. (12)

For a start, the heads of the tribe, and of the families within it, are male. Men are regarded as the primary breadwinners, and are the public face of the family. Women are regarded as first wives and mothers, with responsibilities for the home and for child-rearing. Both males and females are expected to consider the needs of the family as superior to the needs of the individual. Neither males nor females are free to take decisions concerning their daily lives or futures without consulting their family first. If a member would take his or her own decision without consulting his/her own family; he or she will be considered an indecent person and to have insulted the family honour, if not the tribe's name itself. Morality, and the concept of honour (or conversely shame) are closely intertwined with the norms of family

relationships and they determine the rules of behaviour within the family, and between the family and the rest of society.

The identity of individuals is closely tied to their family status and more specifically to the reproductive aspect of the family. When they give birth to a first child, women are renamed as "Umm ….." – or Mother of" whilst the father will be re-named as "Abu…", Of "Father o". Parents lose their self-identity and are treated only as parents. Family, referred to as "aila or usra" has another meaning which can be explained as "interdependence and reciprocator"; the mother is called "banna" the home maker and the father is called "Janna' the provider; and the children are called "iyal" (dependents) and "sanad" supporters when the parents reach an old age.

For the family "safety net" to work, it must remain the backbone of every aspect of their social identity and economic needs. Physically moving away from the family weakens the commitments to this collective security and therefore both Arab males and females are deterred from leaving or breaking up with the family, except where this is necessitated by the promise of employment and greater economic inputs for the family which is usually a privilege accorded to males rather than females. To move away from the family without a clear necessity for doing so, is equally to bring shame upon the family. Ironically, whilst urbanization may fragment extended families, the experiences of urban poverty and separation from the extended family safety net can reinforce the bonds of the nuclear family. Barakat argues that such "family safety net works" are most effective in "poor, and less-developed areas' regardless of religious or even across ethnic identity". (13) Barakat argues whatever the socio-economic status of a group, that "the Arab family remains the cornerstone of social behaviour, attitudes and needs for both males and females family members". (14)

The Arab family is highly patriarchal. The father exercises his authority upon the family. He fulfils his duties towards his direct and indirect family members if he is the sole breadwinner of the family. The wife's role is to join his kinship group (patrilocal kinship). Her children take his surname (patrilineal descent). Furthermore, the father expects respect and obedience from his wife and his children. The rule of the father is absolute. If the latter is challenged by his wife or his child, whether son or daughter, all members of the family as well as close relatives will condemn the culprit. The father upholds authority and orders, while the mother carries out his teaching and instructions in the upbringing of the children and the management of his household.

The wife in the Arab society, however, keeps her family name. She is associated to her husband and called "aqila" (qarina (linked), and "hirma" (prohibited). In effect, the women

(married and older) exercise their own power within the family but instructions are received from the father. (15) In effect, women as mothers enforce patriarchal rule among family members. Barakat writes, "The heirarchal structure of the traditional family reflects the stratification of the Arab family that is based on sex and age. The younger is subordinated to the older and female to male". (16). Suad Joseph argues that this patriarchy is "the privilege of males and seniors (including senior women) and the justification of male and senior privilege in the idioms and mortalities of kinship, sanctified by religion. (17) However, women are singled out for surrendering their identities to those of their families. Self-denial is emphasized for women. For example, they may be expected to give their inheritance rights up so as to keep harmony in the family. When finances are low, girls may be expected to give up opportunities for further education so that boys may take the privilege (the correlation being of course that boys are then expected to put their own education after their duty to provide for the whole family). Post-education, or even during their school years, girls may be expected to stay at home to help the mother with house duties and to look after younger brothers and sisters. In short, members of the family are expected to remain loyal to it. More importantly, they must be obedient and humble towards the first in the hierarchy of this social, the father. It is now wondered then that the father carries the name of "r'aab Al-usr" (the lord of the family).

Marriage is the cornerstone of the Arab family. As Kitty Warnock says of Palestine, but as is equally true in Jordan:

> Patrilineal families can only be reproduced through the
> birth of sons of undoubted paternity, so marriage, as the
> mechanism for restricting a woman to sexual relations
> with one man, is essential. (18)

Marriage is generally considered a family choice rather than a personal one. In practice, couples are often matched well in advance before the marriage contract is signed, perhaps even from childhood. Parents are always busy trying to find the right match for their son or daughter. Parental choice in finding a suitable match in the urban areas and big cities is admittedly less common now than it is in the rural areas or among the Bedouin, where children are still expected to marry at early age and where cousins are commonly found marrying one another, but family lineage remains an important criteria in selecting a marriage partner. Eligible divorcees, widows and widowers are also expected to re-marry, to be drawn back into the protective safety-net of the family. The birth of children strengths the bond of the family – it is a family affair in a broad sense. For example, an uncle is entitled by tribal

law to stop the marriage of his brother's daughter if he wishes to claim her for his own son.

Arab attitudes towards the family, and women's role within it, can be in part attributed to Islam. Islam as a religion, like many other religions, asserts the importance of the family in securing a stable and nurturing society. It obliges parents and family members equally to respect and look after each other's interests. The family is even to be regarded as holy, adding to the imperative that the members of the family must follow its line or expect punishment as a consequence of deviation. This belief has become interwoven with patriarchal Arab traditions such that it becomes hard to tell where one ends and the other begins. This makes it difficult for the Muslim majority to separate between what belongs to tradition and what belongs to religion. According to Barakat, Muslim people, by and large, inherit religion from the family as they inherit 'social class, socio political affiliations, and language. Barakat writes:

> Persons and groups also receive their religious affiliations and orientations from the family. Religion reciprocates this continuity of support by stressing the holiness of a family and its ties, as well as the value of obedience to parents. (19)

Barakat further reveals the association between religion and family:

> There are striking similarities between the religious concepts of father and of God, indicating that God is an extension or abstraction of the father. Rabb al-isra, the Lord of the family, became rabb al-amal, the lord of work (a term that survives with reverence to the employer), lord of the universe or the existence. Similarity, the mother's role of mediator between children and the father in the Arab family must have shaped believers' understanding of the role of Mary in Christianity and of 'Aisha, umm al-mu'mineen, the mother of believers, or Fatima or Zainab in Islam, who play the role of mediator (shafi) between the believers and God.(20)

As we saw in the last chapter, Islam also has much to say on the status of women within the family. Marriage is an especially important component of this, as is seen by the extensive corpus of Islamic family law which very specifically identifies rights and responsibilities of husbands and wives within the married state, as well as determining the superiority of the married condition over the un-married. The absence of civil marriage and divorce laws have left citizens, and particularly women, dependent on these religious understandings of family which determine "whom and how they marry", Suad argues. Women

must change their religion to those of their husbands while men are not so obliged and Muslim religious clerks put more restrictions on women's choice of marriage than they do on men. However, marriage in Islam is a civil contract more rather than a "sacrament". Each party has its own representatives from among the male family elders to negotiate the marriage contracts and the demands from both sides. The marriage contract contains some provisions for both parties. Those provisions must be respected if the marriage breaks down. While this might suggest an equitable position for women, in reality this is not the case. The preferential position when it comes to rights to demand a divorce, and the on-going religious endorsement of polygamy, leave women vulnerable once the marriage has been contracted. Arab women live in a constant state of fear of repudiation or of their husbands taking another wife who will be given a preferred status. They are in constant watch of their husbands' behaviour, especially in the company of other female relatives or friends, always left insecure by the religious conferment of superior male rights.

Traditional concepts of honour and shame play a large role too in determining women's status and rights within the family. Female family members including wives, daughters, and sisters are expected to respect the family honour and family instructions that are coming from their father, husbands and brothers. In this context, age or working position of men play no role in determining their power. Men are the ones in control regardless of economic changes such as women leaving the house for employment purposes. Women may exercise power but in the private or family domain, rather than the public domain. In the public domain, they are expected to first and foremost hide from view that which is considered to be the biological source of what power they might have – their sexuality.

Warnock continues to explain the implications of this emphasis on marriage and family for Arab society:

> There [was] great pressure on men and women to marry.
> the need for marriage was emphasized in Islamic text
> and commentary and in popular belief, by various moral
> and biological explanations. Sexuality, while held to be
> natural and impossible to suppress, was thought wicked
> and dangerous if not channelled into marital relationships.
> Women were thought to be weak and unable to survive
> with-out protection and material support that men
> provided in exchange for women's work as wives.
> Women who lived on their own challenged this view, so
> it was unacceptable for them to do so, and the social
> system tried to preclude the necessity. (21)

The containment of the sexuality of the women of the family to its own domain was,

and remains, a fundamental component of a family's honour. Honour can be tied to a family's land, the number of sons, its wealth, its upholding of justice and collective morality, but most of all to the personal morality as evidenced in public of its women. Women whose behaviour is seen as immoral bring shame on the whole family and the definition of immorality is tied to the subordination of women to men's control.

> One function of the ideology of honour was to support the internal structure of the family; to be precise, to idealise men's control over women. Its most keenly felt daily requirement was that the male members of the family should protect the female from all dangers but particularly from sexual impurity. (22)

Whilst men seek and defend honour, women must be passive, helpless and dependent. Since their status within the family and community depend on this passivity and since exclusion from the family removes them from the protection of the family as safety-net, they are bound to become complicit in their own subordination. Nawal el Sadawi goes further, asserting that – with the concept of honour – women's bodies become the property of the family and not of themselves. In a discussion of honour crimes in Egypt, she speaks of how "the honour that is considered to have been sullied is always that of the man; the woman is merely the object through which his honour has been blemished. The woman is not a human being with honour, but rather a thing that can cause dishonour and shame….Honour is the sole possession of the man, and this total ownership gives him the power and the right over the being who possesses no honour, namely the women". (23)

Undoubtedly, this traditional Arab approach to the family has been challenged by urbanization, the increasing need for second incomes within the nuclear family, female education and the possibilities of family planning, yet the norms of honour and shame remain strong within contemporary Arab society and continue to determine the status of, and provision for, women. For example, male family members may still decide whether a woman may be educated in non-segregated environments or may work outside the home with the principal consideration being the extent to which her modesty or honour may be compromised by mixing with non-family males. As Nawal el Sadawi points out, it may still be considered shameful for women to work outside the house, because it implies that the men of the household cannot afford to defend their honour by providing sufficiently for the women to remain secluded and segregated in the home. "A man who can provide economically for his wife and so protect her from the need to work outside the home is considered to be more of a man than others. Women's work outside the home is regarded as a sort of humiliation, and

held in low esteem".(24) Similarly, the notion that women should be passive and guided by family males is translated into women being obliged to vote as their husbands determine in elections, regardless of whether they agree with the choice or whether it serves their own interests.

So social, political and economic changes taking place within the Arab world which may on the surface appear to enhance the status of, and provisions for, women, continue to be negotiated in practice through a framework of tradition, customs and habits which reflect tribal. As long as the identity of the Arab man or woman is defined according to these patriarchal tribal and religious practices, the gender division of labour inside the family and the subordinated status of women within and outside the family, will remain. The expectation will be sustained that women's social needs are taken care of through the family, and that the state's actions should not interfere with this social hierarchy or seek to replace its system of provision.

Suad Joseph goes further, asserting that the formation of Arab states has seen the "family processes" being woven into the "state dynamic" itself and that this has been "a rather explicit political project within the state and nation building projects of the Arab states". (25) For a start, Arab political leaders often employ their family members in the body-politik, even when the formal political system requires elections and meritocratic advancement. Mobilisation continues to take place through family networks and the terminology of the family is used to gain legitimacy and assert rights to political power. Family membership is a political strategy for citizens in so far as they can gain advancement and privileges through family connections and informal patrimonial networks which are validated through terminology such as "father of the nation" – an often repeated reference to political leaders.(26) The legitimacy of the Arab rulers stems in part from their ability to reflect the values and role of the family, a symbiotic relationship since home is regarded as the first location for political socialization. Children are expected to absorb the political orientations of their fathers and the political loyalties of their families. Political leaders are looked upon, and expected to behave, as fathers and the citizens are effectively children. In retrospect, "God, the father, and the ruler thus have many characteristics in common". (27) The former and the latter are illustrated as follows:

> A central psychological feature of Arab neopatriarcha
> society is the dominance of the father (patriarch), the
> centre around which national as well as the natural
> family are organized. Thus between father and child,
> there exist only vertical relations: in both settings the

> paternal will is an absolute will, mediated in both the
> society and the family by a forced consensus based on
> ritual and coercion. (28)

Religion is important too in this construction. Religion-and-family work as means of mediation between the individual and the state. Islam in this respect is not separated from politics. The Prophet Mohammed held both the religious command as well as the political one. Religion and politics are intertwined in most Islamic societies, and in particular Arab society. Most Arab leaders declare their intention to carry out both political and religious duties even if their position is technically a secular one.

In societies such as Jordan, where tribal groupings retain significant political status, the structures, values and terminologies of the family have been imposed onto the state as much as they have formed the basis of it. Family is central to political identity and the state itself considers the family unit to be more important than the individual. It is, by and large, considered to be holy – endorsed by religious edict and tradition and integrated into the state's religious legitimations. Arab society consequently expects women to place "their familial roles above their public positions". (29) In return, it expects the family to provide for its members and that this constitutes a component of the unspoken social contract between state and citizens. It is no coincidence then that Her Royal Highness Princes Basma Bint Talal of Jordan asserted the importance of the family in the life of women in a speech on Arab women stating that:

> Arab society is a collective society in which family
> and clan relationships play a prominent role. This
> collective social approach has saved Arab women
> and their societies from much of the modern social
> strains that are common in other societies including
> advanced industrialized countries. There is less
> hunger and starvation among the poorest Arab
> societies than in other regions. Drugs and
> prostitution is limited, rape almost non-existent,
> single parent families and births outside marriage
> are also very few. Community violence Exists,
> however at a lower level than most other societies;
> and polygamy, although it still exists among the
> less advantaged groups, is becoming more
> unusual. This collective social approach, however,
> did not greatly assists in spurring women to work
> outside the home. The family, in most cases,
> provided them with shelter, basic Necessities and
> a relatively secure future, which meant there
> was little incentive to look for a job or seek other
> re – munerative sources of employment."

Arab women's social needs, in this regard, are caught within a paradox. Women are not regarded individuals but members of a family, the structures and systems of which are defined by religious and traditional patriarchal social norms. For women to achieve their empowerment, they must struggle with the combined weight religious, political and social constraints which come together in the institution of the family. By comparison, women in the welfare societies of the industrialized western nations enjoy a direct relationship with the state. Indirectness and mediated relations no longer exist in the latter. As a result, women's social needs in developed societies are dealt with directly by the state and provided for without reference to their status within a family. In this regard the family role is weakened and undermined once the relationship between the state and the individual becomes the central issue of citizenship. By contrast, the lack of a direct relationship between the state and the individual in Arab countries continually forces women to depend on their family's provisions and support, despite its being subject to patriarchal interpretations of their needs and rights.

In sum, Suad writes that "the implications of Arab patriarchal family systems, their legal status in Arab states, the implications of family systems for the making citizens, and the critical differences between the family-based notions of citizenship and individually based notions in the modern history of Arab states as well as the religious interpretation of Arab women's social rights play a key role in undermining women's social provisions and women are left to the random control of the family". (31)

4.3. The Family in Jordan

The Jordanian family mirrors the generalized Arab family system described above: it is "an extended household consisting of members related to each other by kinship, either through descent or marriage, and family ties extended into the structure of clans and tribes". (32) However since the early 1990s, the Jordanian family system has in many ways begun to evolve. A number of key changes have begun to take place affecting the gender division within the Jordanian family and being consequently reflected in women's social provisions. This chapter will outline some of the key political and socio-economic changes affecting women's status within the family and the subsequent provision of their welfare needs. It will argue that changes in education, urban migration, the labour market, sedentarisation, and political democratization, are impacting upon the sexual division of labour in negative ways

which remove the traditional protection of women afforded by family networks. As previous chapters have shown, however, this new vulnerability is not compensated for by state provision which continues to assume family provision. The critical division between the private (the family) and the public (the state) has become much wider and to a large extent has undermined women's efforts to bring improvements to the provision of their social welfare and economic needs.

First it has to be stated that the status and provision for Jordanian women is directly related to their families' economic and social statuses. Women in rural areas and among the urban poor necessarily enjoy a greater degree of mobility in so far as they are more likely to be required to fulfil economic function to support the family and therefore to enjoy greater freedom of movement, albeit within the limited terrain of traditions and customs. Among the urban traditionalist bourgeoisie, women are unlikely to have an economic function outside the home, something more likely to remain the preserve of men. Thus women of merchant or artisan families have traditionally been confined to the home. Middle class women may be divided into two categories. One category includes those who are being economically independent, have a high education and exist within more liberal family cultures. They enjoy a greater degree of mobility and personal freedom. The second category of women may be educated but conservative family cultures impose upon them a less mobile and more sheltered life.

Regardless of economic and social status, segregation of the sexes begins at the early age in the Jordanian family, especially in the rural areas. The Jordanian family collectively cares for its children until the age of five or six, although children are most likely to be cared for by their mothers and elder siblings. After this age, boys start to spend more time with their fathers outside of the home, perhaps having responsibilities such as doing the shopping for their mothers or assisting their fathers in the workplace. Girls start carrying out domestic duties, such as looking after their younger brothers or sisters and doing the washing up and cleaning. (33) A woman's status within the household will depend on her age, her marital status, whether she has borne children or not, and – in the case of multiple-wives – her status as favoured wife (or not). Men remain the principal decision makers, have greater autonomy than women, and are much freer in their public movements and personal decisions; the education, work and marriage of women are however family matters over which individual women have only limited say.

Thus, although equal citizenship in the Jordanian constitution suggests that Jordanian men and women are equal and must be treated accordingly – at least in the public sphere, in

practice Jordanian women are still regarded as being of second class status within the private sphere, less within the private sphere and treated that way. This second class status spills over into the public sphere in terms of the attitudes and behaviour which shape the application of policies and laws. Women in the public sphere are still discriminated against according to sexual attitudes and traditional beliefs. As one interviewee said:

"women are safer to work in the public sphere than in the private, as discrimination against women in the private is more rigours".(34)

In sum, the family in Jordan conforms to the pattern of the traditional patriarchal family structures commonly associated with Arab society. However, in Jordan there is a particularly strong, even unique, component in this construction, the continuing strength of the role played by tribal affiliations and cultures, the social impact of which is constantly reinforced by the political relationship that exists between the tribes and the monarchy itself. Before we can examine the socio-economic changes which are occurring within Jordan and impacting upon the family and its provision of women's welfare, we must therefore contextualize the family itself within the tribal system.

4.4. The Function, Status and Impact of the Tribe in Jordan

Fathi argues that tribalism in Jordan can be viewed as "one of the organizational principles in a dynamic and complex political environment and is a process, which involves, among other things a modern understanding of local culture" (35)   describes the nature of the tribe as follows:

> The tribe constitutes one of the forms of social organization, born out of necessary adaptations to the environment. Apart from a few exceptions, the tribal structure is based on the principle of patrilineal descent to form relatively small-scale groupings for social and political action. (36)

The tribe is identified with two key values: "cooperation with members of one's group, which is often situationally defined; and its autonomy". The first of these, which amounts to group solidarity, defines the structure of the tribe.

Tribes are considered to be groups of families related to each other through a common descendence from a founding ancestor. Most tribes consist of smaller groupings and they are this considered to represent a "egmentary system" of social organisation. In general the tribe "resembles a pyramid composed of ascending segments, or levels, each of which is both a political and a social group". (37)   During critical or dangerous times the entire

segments can unite in face of a common threat. Juredini and Mclaurin write that,

> The significance of the pyramidal pattern is that there is an overall vertical organization of the tribe, not just a series of horizontal units with the same general identity. But the Jordanian tribe is also inherently segmentary: each segment at each level has a separate identity and a degree of power and authority of its own. Coupling the two concepts … indicates that the tribe is organized in an ascending series of segments, each a political and social group at some time and in some events. Thus, each unit at a structurally higher level automatically contains all those groups below it. Nor does any real leadership hierarchy connect the groups; instead, for example, the Shaykh of one of the subsections is in turn the Shaykh of the section of which it is a part; similarly, the Shaykh of one of the sections is Shaykh of the tribe.(38)

In this respect, Fathi writes that a tribe can form a political community, depending on the historical context, for the purposes of gaining power, asserting loyalty and even claiming it from others. This has been the case since the establishment of the Jordanian monarchy. Jordanian kings like the former King Hussein have conventionally placed enormous emphasis on their tribal identifications and the relationships of loyalty and obligation that define the role of the tribes in Jordanian political affairs. The relationship is not one of subordination of tribe to monarch but rather one of reciprocality and blood ties which respect the autonomy of the tribe as a unit whilst confirming its place in a network of ties and loyalties. This leads the Jordanian citizen to have a double-identity, as both citizen and tribal member. These loyalties do not always necessarily contradict one another and can be reconciled within the specific political and social context. The power of the informal tribal identity is substantial. As one interviewee said:

 "there is a system of "El-Fu'azeha" in the village where everybody helps everyone regarding celebrations; the tribal system in the village is very strong and forceful". (39)

Jordanian Bedouin tribes in particular have no problem in asserting the loyalty of families within the tribe whilst simultaneously being loyal Jordanian citizens. The strength of the compatability of Bedouin customs and values of tribal loyalty on the one hand, and loyalty to the state on the other, is demonstrated within the framework of the relationship between the Jordanian state and the Army. Once the formation and consolidation of the state of Jordan began after 1951, the settlement of tribes began. Bedouin young men were recruited to join the new army of new state. Their traditions of loyalty to their superiors made them

suitable for the institution which defended the Monarchy itself and Bedouin men were given priority in recruitment policies. The tribes identify with the religious legitimacy claimed by consecutive kings, specifically their dependency from the prophet Mohammed, with the monarch's 'institutional legitimacy' as the heads of the state, and more importantly, as their status themselves as tribal leaders. The monarchs are, in effect, "a kind of super Shaykh al Shaykh (paramount of the tribal Shaykh)". (40) It is no surprise then that the late King Hussein said:

> Whatever harms tribes is considered harmful to us, law remains closely connected to norms, customs, and traditions…our traditions should be made to preserve the fabric of society. Disintegration of tribes is very painful, negative and subversive.(41)

The relationship between the tribe and the state is, moreover, consistently reinforced and solidified by the provision of both tangible and intangible benefits from the government. The tribes receive financial bonuses, infrastructural development support (such as land, roads, wells, clinics, and schools), as well as arms. It was largely thanks to the tribal support that the Jordanian army was able to suppress the PLO in 1970s in the so-called "Black September" battles. The tribes receive also regular payments from the intelligence services, the interior ministry and even the prime-minister. The Army on the other hand provides the tribes with rewards: in return for the provision of "good and well mannered men" to defend the stability of the regime, the tribal youths are offered salaries, a means of upwards mobility and possibilities for social status as Jureidini and Mclaurin write. Besides the material support, the government of Jordan gives constant moral support to the tribes, with political figures making high-profile visits to emphasise their importance, and with prestigious positions being offered to for tribal members in the governmental institutions. The support is thus both material and moral. (42) Consequently, as described by Jureidini and Mclaurin: "in the Jordan Arab Army, as in the society outside the army, Jordanian tribes have been a major force for stability in the Kingdom". (43)

In general, tribalism in Jordan may then correctly be described as a "persistent social force bringing together people for many different purposes and doing so in the context of many different, competing or alternative principles of alignment".(44)

In this regard, tribalism is more than a concept; it is in effect an organized set of structures which embody key perspectives and values of the state.

Moreover, the continuing existence of the tribes is in no respect accidental; rather it is

a result of "effective environmental conditions". The tribes can be classified according to their way of living and the kind of economic activities they are engaged in. The nomadic and semi-nomadic tribes are engaged in raising sheep and goats and rarely in agriculture. The third, non-nomadic or sedentarised type of tribe is principally engaged in agriculture and they are unlikely to move from one place to another like the other two types.(45) Whilst these lifestyle patterns have some impact on variations in tribal cultures, they nonetheless have much in common.

4.5. *The Tribe and Women's Social Welfare Provisions*

The social structure of a tribe is based on the "ramification of patrilineal ties among men" within the context of endogamous marriage. For example, the marrying of cousins within the tribe is the norm, the assumption being that those relations who are closest to the father and father's family are likely to be the most solidaristic and therefore the best. Matrilinealism is also known within the structure of a tribe and the women of the tribe can hold some power but this remains within the household rather than outside it.

The women of the tribe are treated according to the norms of protection and honour. The first duty of the males of the tribe is to protect their own women from harm or dishonour. In return, women expected to remain loyal and obedient, to fulfil their domestic and economic obligations to the collective welfare. Nomadic women's duties consist of carrying out tasks both inside and outside of their tents. They have duties as wives and mothers as well as duties herding and maintaining the tribes' livestock, collecting fire fuel or water, (46) milking camels, and making butter either for domestic use or selling it in the market.

Women of the tribes marry at early age, sometimes even before they have reached puberty and, as previously stated, endogamous marriage is the norm. Nomadic women can remain unmarried if there is no immediate relative to the father to whom they can be married. Marrying a stranger is rare. Marriage is usually negotiated among tribe members and it usually requires consensus within the tribe. If some significant male is not happy with a match, it will most likely not take place. Marriage in this regard is not a family issue; rather is a tribal issue. If divorce takes place (which it hardly ever does) women are returned to their original families. Nomadic Bedouin women have no say in their marriages. It is a father's affairs. A dowry is paid directly to him in the shape of land, money or animals. Women can demand a divorce via the Sheik of the tribe or they may flee to their father's tent, but her children must remain with their father's place and there is always the possibility that a divorced woman will be barred from seeing her children for good.

Segregation between the sexes starts at early age in tribal life, as it does in the poor urban, conservative middle class and elite families. (Indeed, Brand argues that whilst the nomadic or Bedouin population is shrinking, their values remain intact within the whole society). Customary laws regarding women's social movement and social welfare are strictly followed. Bedouin culture demands by and large the protection for tribes' womenfolk as they are considered to be weak. This weakness translates into their being viewed as a burden rather than an asset to the tribe. Male children are more highly valued than female children. If a woman fails in her reproduction, by producing no or too few sons, she can be divorced and send back to her family.

Honour remains the key to the constraints on a women's behaviour and to her entitlement to the social welfare provisions which come with tribal protection. Honour is of importance to all the members of the tribe: it governs the decisions and social movements of all the members of the tribe and the family, both male and female. Violation of the codes for honourable behaviour is punishable for both males and females. However, females are more harshly punished than males. For example the inappropriate personal behaviour of a married woman, or even just the suspicion of such behaviour, can cause her to be divorced by her husband and sent back to her family. While she loses her home, her children and her status, her housing needs continue to be met by the family or tribe (but not the state). Women will receive this protection and security as long as they follow the family's line of moral conduct and are totally submissive to the family's will.
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4.6. *Honour Crimes: State, Tribe and Culture*

In some cases women are even killed for reasons of the honour of the tribe and the family within it. Mostly this takes place within poorer families and Bedouins, but it has become a contentious aspect of wider Jordanian society as the tribal custom proliferates under the complicit eye of the state itself. Where a familie's honour is considered to have been diminished by immoral behaviour of a woman, a price must be paid, even if the woman was herself a victim of unwanted male attentions. In some cases compensation is accepted but this will depends on what sort of crime has been committed and extensive negotiation takes place between males of the respective families before any punishment is meted out or compensation is paid. "if a woman should be killed in a non-honour crime, the blood money "*diyya*" is four or eight times what it would be for a man. And if, while she is pregnant, she is exposed to injury that triggers a miscarriage, the "*diyya*" for the fetus is that of a full man. Again, these practices involve several implicit assumptions about women: their primary worth as deriving

from their reproductive power; their presumed weakens; and their families and not they themselves bear responsibility for their actions', Brand explains". (47)

Male relatives execute this customary law which is called "j'ari'mat al –Sh'araf". (48) The precise number of honour killings is unknown as official figures are generally considered unreliable under-estimates. The Ministry of Interior proposed figures of 19 in 2001, 15 in 2002 and 22 in 2003 but the Christian Science Monitor reported that since around a third of all violent deaths in Jordan are honour-related, the real figures are likely to be much higher. (49)

Men who commit a crime in the form of the murder of a female relative will invariably themselves get only a light punishment from the state courts in their turn, suggesting that the state not only endorses the concept of honour (and all that implies for the control of women) as a guide to social behaviour but ultimately places less value on a woman's life than on a man's. This is one very clear illustration of how the cemented relation between the state and the tribe in Jordan reflects on women's status, welfare provision and social development. Social values such as honour, the subordinate position of females in the family, and segregation of the sexes ultimately remain the terrain of tribal customary rather than civil or criminal laws. In the words of one interviewee:

"the social heritage of segregation is extremely deep in the Jordanian society, it cannot be uprooted easily". (50)

Not surprisingly then, women's activists in Jordan argue that the continuation of honour crimes and the liberal legal attitudes taken in dealing with those who carry them out, represents an outstanding failure of the state to honour the article in the constitution that asserts the equality of all Jordanian citizens, regardless sex, religion and class. As Shadha Mahmoud, a young activist in women's issues said:

"Honour crimes are not punishable and therefore this tribal custom persists. It only demonstrates the fallacy that the State protects women's dignity". (51)

Honour crimes are specifically a Bedouin tribal practice. The roots of the customary law which underpins it lies in Bedouin gender ideology as Leila Abu –Lughod argues in "*Veiled Sentiments"*. This ideology is based on values associated with modesty and the autonomy of individuals. Masculinity (maleness) is associated with autonomy and femininity with dependence and modesty. This reflects in turn the socio-economic reality of Bedouin nomadic lifestyles in which "senior men control resources and provide for others and women are the quintessential dependents". Bedouin thought frames gender differentials such that women have a secondary status based on their economic and thus moral inferiority and

measured by the standards of their conformity with the code of honour. (52)

In Bedouin culture, the male and the female are by nature opposed to each other. Menstruation, procreation and sexuality are all related to the biologically-derived female nature. Females are associated first and foremost with child-bearing function and their social roles as mothers. This gender ideology is closely associated with the concept of nature, that it is made by God, and that God's will must not be challenged or disregarded. This perspective is printed in the mind of each male and female from early childhood, embedded through the range of socialization mechanisms and institutions. The honour of a female, and thus of her family, is tied to her sexuality and more specifically bound within her physical body. The preservation of her honour has been materialized in the fine membranes which constitute her virginity, membranes which have become the literal symbol of her families honour. This membrane is the only evidence of her innocence – without it a woman is guilty until she can prove otherwise. The only time that a woman can ultimately prove her innocence is on her wedding night, when the sheets of the marriage bed are examined by the family for signs of the tearing of the hymen – the surrendering of virginity. If a woman bleeds then she proves her innocence and that she is not guilty. If she does not bleed, for whatever reason, she is considered to have come to the marriage bed already dishonoured. She is therefore considered to have dishonoured her family and she must face severe consequences. She either will be sent back to her family to be punished by its member's or she will be divorced and bring shame upon the family. If a woman is thought to have engaged in sexual intercourse, or even in any kind of immoral behaviour which can be as little as talking to an un-related man, she is considered to have equally brought dishonour to the family. Suspicion is as much a crime as an actual crime in this regard, and it is perhaps even harder to prove one's innocence against a mere suspicion. If a female is considered to have behaved "immorally" outside of marriage, whether or not she herself if married, she is liable to be punished by the members of the family. In the Bedouin culture, this punishment is of vital importance to wash clean the family's honour. Since the family honour is embodied in the woman's body rather than the man's, the actions of the man are not of equal consequence and he is unlikely to suffer a comparable punishment from his own family, although the female's family may demand either vengeance or compensation.

Nawal El Sadawi argues from a feminist socialist perspective that "moral values are in fact, the product of social systems or, precisely, of the social system imposed by the ruling class with the aim of serving certain economic and political interests, and ensuring the situation from which that class draws benefit and power is maintained".(53) In her view the

concept of honour has been distorted within Arab society in order to sustain the social structures which privilege men and the vertical tribal structures which persist. A man's honour lies in the female's hymen and in her public behaviour. Therefore, if a man behaves indecently his family honour is not necessarily in danger and he can escape any consequences for his actions. A man's sexual experience is even a source of pride and a symbol of his virility whilst a woman's is a "source of shame and a symbol of degradation". (54) The entire society is, thus, driven by and structured around a double standard of moral concepts. To protect women, and the family from dishonouring the family, it becomes legitimate to marry them off at a young age, to practice polygamy, and to endorse punishment of women who flaunt the tribal norms. Bedouin practices have spread from the rural to the urban areas, and have become indicative of social and economic status: where a family can afford to seclude its women, to protect them from the perils of mixing with non-family males, it is all the more honourable to do so. Thus the practice becomes a pillar of the prevailing socio-economic hierarchy.

The killing of females by men from their families as an effort to wipe clean their family's honour is not regarded as equivalent to murder. A man found guilty of an honour killing is unlikely to face more than three to six months of a jail sentence. (55) Indeed, often the broader society instead condemns the woman and endorses the killing as a necessary component of maintaining social cohesion and order. (56) "When an 18 year old rape victim was murdered by her 17-year old brother in 1994, a neighbour told the media that the girl's family was "relaxed, happy and satisfied after hearing the news that she was killed". (57) Therefore, the culprits of so-called "honour crimes" are rarely heavily punished by the courts. Because they so directly contradict the constitutional rights of women, and serve to uphold traditional rather than modern constructions of society, they have become a sensitive social issue and one which the state is reluctant to confront. In an interview by the researcher with one senior Jordanian woman, she was told that each time women's organizations present the issue of honour crimes to the House of Representatives (most of whom are associated with strong tribal roots) to debate on and hopefully prohibit, the issue is always pushed aside and never receives a fair chance or discussion. (58)

Abla Amawi, a prominent Jordanian defender of women's social rights, believes that honour crimes have been a persistent feature of Jordanian life even in the 21st century because of the contradiction that exists in the provisions of the criminal law of Jordan. There is an apparent leniency in the punishment of such crimes in favour of men. She explains that the Jordanian criminal law in regard to women is based on the Ottoman Law of 1858, which in

turn originated from the French Criminal Law of 1810, and from the Lebanese Criminal Law of 1943. The law is inherently gendered when it comes to crimes committed out of anger or passion. According to Article 340, a man who commits a crime in the name of honour receives a degree of understanding or sympathy from the law and receives a very lenient punishment. The law states that: "a husband or close blood relative that kills a woman caught in a situation highly suspicious of adultery will be totally exempt from sentence". Article 98 guarantees a lighter sentence for male killers of female relatives who have committed an act which "is illicit in the eyes of the perpetrator" and which has led to the killer acting in "a fit of fury". However, if a woman commits a crime out of "fury" or humiliation, perhaps for example when she discovers her husband in the act of adultery, she receives no such sympathy but instead a heavy punishment. Thus a man or his family can actually use the criminal law to endorse their crime. They may even use the claim of having committed the crime for reasons of honour to disguise a crime committed for other purposes, for example for the purposes of stealing a woman's money, or her inheritance. Investigations have shown that many women killed in supposed honour crimes have in fact still been virgins. (59)

Amawi asks the question whether this gendering of the provisions of the Jordanian Criminal Law is compatible with the provisions of the Jordanian constitution, the "Sha'ria"' and international conventions; 'The answer would seem to be resoundingly negative. The Jordanian Constitution guarantees equality to all Jordanians (males and females) in rights and responsibilities, whereas the "Sha'ria" provides no basis for discriminatory treatment of adulterous males and females. The "Shr'ria" stipulates equal punishments for both. Similarly, international conventions such as the International Declaration of Human rights clearly emphasize equality and no discrimination based on sex (General Assembly of the United Nations 1967, arts.1, 2). (60) The leniency accorded by the law to perpetrators of so-called honour crimes demonstrates how conservative, traditional, tribal values are able to over-rule the constitutional rights of women in practice. Thus the most basic of women's social provisions – the right to life – is still a long way from being fulfilled. The very thought that a woman's life is worthless for bringing shame to the family or the tribe, demonstrates that the depth of patriarchal norms in Jordanian society which both undermine women's empowerment projects but more crucially slow down the entire process of embedding the concept of the equality of men and women.

Efforts to alter the law, or appeal Articles 340 and 98 entirely, have repeatedly been blocked by the lower house of the Jordanian Parliament. In 1999, King Abdullah responded to pressure by women's activists by initiating a special committee to examine gender

discrimination with the law.

The committee recommended the repealing of both laws and the Cabinet endorsed this recommendation. However, it took the lower house of the Parliament just three minutes in February 2000 to dismiss the recommendation. The then leading party, the Islamic Action Front, denounced efforts to repeal the law as seeking "to destroy our Islamic social and family values by stripping the man from his humanity". (61) Further efforts to repeal the law in 2001 and 2003 were similarly rejected, despite public campaigns which raised 15,000 signatures in support and brought 5,000 people out on the streets, including members of the Royal family. The parliament is heavily weighted in favour of the tribes and conservative social elements and, in this instance, its capacity to resist pressure from the Monarchy and to retain the patriarchal character of the state itself, was clearly demonstrated.

The passive endorsement by the state of honour crimes reflects two key dimensions of the state's role in women's social welfare provisions. Firstly, the tribal, Bedouin culture of honour remains strongly intact and has become embedded within the formal political and legal institutions of the country regardless of the latter's constitutional commitments to the equal status and social welfare of women. Secondly, the dependence of the Monarchy on the loyalty of the tribes to secure its survival means that there is little incentive or room for the state to challenge such tribal norms even if it wants to. The reciprocity of interest between state and tribes leaves women as the victims of their mutual interests.

4.7. Family, Women and Social Change

In her interviews with Jordanian women, the researcher sought to examine whether this relationship, and women' subsequent vulnerability, it changing as a result of the pressures of modernization and related social change. In some cases, the belief was expressed that little is changing.

Mrs. Salaw Nasir, an activist in women's issues, stated that**:** "when it comes to applying women's social provisions or protection, there is a lack of will on the part of the senior members of the parliament". Moreover: "women's social needs are not a priority in the state's social policies. Projects targeting women are not followed up". She added: "the media is not supporting women, political and economic issues are not related to women, although social issues are. There have been senior women occupying senior positions in the government, but they were appointed and can do little for women". In her view "it is only through economic independence that women can strengthen their power, push themselves forward and make their voices heard". (62)

A similar pessimism was expressed in a focus group formatted interview which took place with 25 Jordanian women from all parts of Jordan on 9 July, 2005 in Amman. The researcher was told by participants that: "there is a lack of will on the part of the state to enforce equal laws in the light of women's social provisions". Moreover, "the culture of shame, family honour and men being better is the prevailing order regardless of economic and political progress". For women, their "family role plays a negative part in their progression in the society". At the same time, "they have no choice but to rely on the family for their economic and social needs". The majority of the group participants were pessimistic regarding the potential for economic or political changes to improve the provisions of women's social welfare or that women would be treated as human beings rather than as the subjects of traditional and conservatism norms. Ms. Shadha Mahmoud, a young activist in women's issues and who works for the United Nations office "UNIFEM" in Amman, Jordan (2005-2007) discussed the unlikelihood that "something better can take place for Jordanian women in the short term". In sum, despite the economic and political changes taking place in Jordan as a result of globalization, modernization and international obligations, social and state attitudes towards women were considered to be actually regressing. The interviews suggested five areas where economic and political changes which have impacted upon the family since the late 1980s have not had the anticipated benefits for women's social welfare provisions either within the family or by the state.

a) Migration

One of the key consequences of the weak economic performance of Jordan has been the lack of working opportunities for rural and young men, resulting in urban and international labour migration. Cities began to expand as a result of labour remittances pouring in from the Jordanian semi-skilled workers who left for the Gulf where the post 1970s oil boom created a wealth of employment opportunities. The first Gulf War between Iran and Iraq in the 1980s brought job opportunities in Iraq as well as new wealth (and consequently jobs) to Amman, whilst the Iraqi invasion of Kuwait in 1990/91 brought a wave of wealthy returnee Palestinians into Jordan, with capital to invest in property (causing a construction boom). Finally, the 1993 Oslo peace process and the 1994 peace treaty with Israel brought new waves of tourists to Jordan, again prompting internal migration in search of jobs.

Movement in both directions, internal and international labour migration, brought changes to the tribe and family (from provisions and man power side) and consequently for women. The tribes and the family lost their young men. The old (both men and women) were

left to care for the young of the family. With the old unable to work, women were often left to be the sole provider of care for the family members and the wage-earner if the absent men were unable to remit sufficient financial resources, or if they died or disappeared. Women started to carry the full burden of responsibilities for looking after their families in the absence of their men, be it fathers, brothers, or husbands. They lost their partial security of protection and financial support from the tribe and the family and were forced to engage in public in place of their men.

For many women this has meant a harsh new reality. Whilst they are required to take on new public roles, and have less support and provision from the tribe or family, they nonetheless find themselves discriminated against in the work place, subjected to sexual harassment and excluded from good opportunities in the wage labour market because of their gender. The crucial reality is that traditional and tribal family values have not changed along with women's roles or their status as independent individuals, and society has not accommodated their altered roles in the way in which it treats them. The actual tribal or family structures are being eroded by migration but the role, status and behaviour which they impose upon women have not. Thus these changes did not bring about a change in the social status of Jordanian women; rather it remains intact and even worsened. When the subject is approached with senior Jordanian men, they reply that this is a tradition, and tradition cannot be challenged so easily, but needs more time to adapt. (63)

b) Education

Education plays a key role in enhancing women's life and work prospects but at the same time, it weakens the power of the tribe/ family over its female members. Families push their female children to improve their education since this offers them better opportunities for work, especially in fields like health provision and education which are conventionally seen as female professions. Perhaps more importantly, a tribe or family gains prestige from the educational status of its children, including its women. The greatest prestige comes from achieving a higher degree from university, even if the family does not require the woman to work once she has graduated. Indeed, women from middle and upper class backgrounds are under less pressure to move into the job market early to bring income into the family and are therefore more likely to remain in education for as long as possible. As educational opportunities for women have improved, and with the possibility of university education and – if they are allowed by their family – professional employment thereafter, more women are delaying the age of marriage.

Women's expectations are changing as a result. It becomes less desirable to have many children (not only since they start married life later but also because they may work outside the home). When they marry later, they may have more confidence in resisting the intrusion of the family into their married life and decision-making. Highly educated women demand more expensive dowries when they do marry (which can also inhibit marriage itself). The pressure on educated women to accept their father's choice of a suitable man becomes less effective. Similarly their willingness to accept lesser jobs than similarly qualified men is progressively reduced.

However, these higher expectations and capacities become frustrated as they do not translate into an equal opportunity in the labour market. A large number of the interviewees for this study were young women graduates, some of whom had masters degrees. However, they were not employed in wage labour but rather stayed with their families, which provided for their welfare, while they waited for an appropriate suitor to marry. In their views, education had worsened their social position. Employers would still rather choose for a man over a woman with the same or even better qualifications to fill a vacancy. Men with lower qualifications were the first to fill gaps in the labour market, the discrimination being based on the patriarchal pretext that men are more likely to be the primary breadwinner of a family and they should thus have first pick of the jobs. Thus the expectations which women are developing through their higher educational attainment are still unfulfilled. Even worse, their education becomes a marriage commodity, increasing their worth to the men of their family, rather than being respected in its own right.

A report in the Jordanian newspaper, *Al Rai,* explains the devastating social anomalies this has created as the ratio of men to women in state universities has been steadily decreased. In 2008, women constituted 80% of university enrolments and men just 20%. The report argues that this has had a gloomy impact on developing the required supply of male teachers, doctors, nurses and engineers in the future. There is already a lack of 400 male specialists in the teaching of physics and mathematics in the remote areas and villages. At the same time there is an excess of female specialists in those two subjects. The result of this skewed educational profile is that the notion that some jobs such as teaching and nursing, traditionally defined as "female" because of their nurturing role, is being reinforced rather than eroded. The report "the authorities are not paying substantial attention to this alarming result as fear of opening up debates regarding being biased for men". (64) In other words, the state focuses on the quantitative provision of education for women as being sufficient for it to fulfil its obligations to women as citizens, even when the qualitative aspects of social attitudes erode

the substantive achievements of such policies.

c) Employment

The interviews demonstrated that, even when they do join the wage-labour force, Jordanian women's hopes for economic independence and an increased ability to be her own decision-maker, are regularly disappointed.

For a start, women quickly find that the institutional and infrastructural support for employed women is insufficient, especially when it comes to child care. The lack of affordable childcare, combined with very short periods of maternity leave, forces many women to opt for part-time work only, allowing them to combine work with domestic chores and to be home in time to collect children from school. Similarly, the lack of reliable public transport often makes it impossible for them to combine reasonable working hours with domestic and child-care duties. Part-time work is lower paid, has less protection and is of a lower social status than full-time work.

The interviewees also asserted that influential tribal elites have strengthened the social obstacles regarding women's education and wage labour by emphasizing traditional religious and conservative values. The pretext of the traditionalist is that women are taking the work of men who are the principal bread winners. Women's "proper" work is stay at home to bring up children and look after the elderly. The religious conservatists argue that wage labour gives women the freedom to mix with men at work and in public, tempting both genders away from moral behaviour and putting family honour at risk. Employed women therefore represent the possibilities for moral and social corruption. Given this pressure, many working environments are segregated, imposing additional costs on employers and making the employment of women more costly for them. In the words of three interviewees:

"each time I apply for a Job, I find out that they employ a man who is less qualified than me. When I protest, the employer said: why do you want to work? Your man is working and you have two children, it is rather you stay home and bring your children up". (65)

"no one wants to employ a woman first, because they tell us there are few jobs. Those few jobs must be filled by men, because, one day, you will be married and you want a man who has a job. If we give you the job, there are no jobs left for your future husband". (66)

"I should stay and wait for a man to marry and therefore, there is no need to look for a job". (67)

The need to constantly challenge conservative attitudes towards women's wage labour, as well as the "lack of transportation, absence of child facilities and ignorance of available job opportunities" (68) undermines women's incentives to fight for employment equality. It is often easier for them to choose to stay at home under the protection which is offered by their families.

d) Sedentarization

Settling the nomadic tribes in designated territories has become a priority of the state of Jordan since World War 11. This settlement has been driven by the need to consolidate the state, to solidify its national borders, and to regularize the relationship between citizens and the state itself. Moreover, by settling the tribes, it becomes possible to recruit their young men away from the land and into the army. This sedentarisation has affected the tribes in two ways. Firstly, the "relationship to the traditional tribal territory has decreased" and secondly, it has "diluted lineage solidarity and cohesiveness". (69) The government appoints its representatives to the villages to be in charge of the administrative and infrastructure tasks whilst the Sheikh remains to act as an advisor and consultant in family and social matters. Ironically, this means that the connection between traditional nomadic lifestyles and the provisions for women becomes dis-jointed. The Sheikh is confirmed in his role in determining how traditional tribal values and norms for society should be upheld (subordinating women) but the role of provider for women's social provisions transfers to the administration and infrastructure of the state. When the young men leave and join the army, or when they find alternative work in the construction or other industries, women are left alone to carry out the domestic duties and care for the elderly, as well as care for remaining livestock and dealing with the public administration. Tribal cohesion is weakened and they lose the protection since promised them by its traditional lifestyle. Yet the constraints on their behaviour remain.

e) Political Change and Democratization

The impact of the political reforms which supposedly are advancing democratization in Jordan since 1989 are perceived as having has little impact on the relationship between the state and the tribes. Critical voices in the 1980s suggested that the King's dependence on the tribal loyalties, and his support of tribal influence, was contrary to democratic norms. When the 1989 reforms led to the first parliamentary elections in decades the relationship was tested as opposition candidates from Islamist, leftist and independent groupings won 59% of the 80

seats in the parliament's lower house. The electoral laws were subsequently Gerry-mandered and manipulated so that in the subsequent 1993, 1997, 2003 and 2007 elections the rural (tribal) areas were allotted more seats relative to their share of the population than the urban areas from which the Islamist, leftist and genuinely independent candidates are elected. Thus in former-prime minister Rawabeh's district it takes only 3,000 votes for a candidate to be elected to the parliament, but in Amman city it takes 95,000 votes. Not surprisingly in the 1997 elections, 68 of the 80 parliamentarians were tribal chiefs. The impact of this has undermined the apparent gains which should have materialized when women were allocated a quota of seats in subsequent elections. Despite this quota of seats, they cannot challenge the overall dominance of tribal influence within the parliament. Moreover, despite his proclaimed determination to advance political reforms, King Abdullah has continued the trend of reinforcing the strength of tribal influence in parliament begun by his father. In 2001 he suspended the parliament entirely, ruling by decree and selecting his government on the basis of traditional tribal loyalties rather than merit or electoral popularity. When elections were r-introduced in 2003 and 2007, the pattern of manipulating electoral districts to favour tribes was maintained.

Whilst this failure to genuinely democratize the political system brings criticism, it in fact reflects as much a continuing identification with the tribe rather than just the suppression of political parties and their activities. A 1998 opinion poll, held after the 1997 elections which saw the return of tribal primacy to the parliament, showed that tribal affiliations remained stronger than political party affiliations in Jordan. In the all, only 1.3% of respondents claimed to be members of political parties. Yet 40.4% claimed to be active in tribal affairs. Of the latter 63.4% attended regular tribal assemblies, 69.9% attended marriage and engagement celebrations within the tribe, 76.4% attended condolence events and a total of 51.7% of respondents recognised the legitimate existence of tribal "diwans" as places for conflict resolution, negotiations, and rule-making. (70)

The interviewees endorsed the idea that the combined effects of political reform, migration, sedentarisation, education and employment have not weakened the influential role of tribal values and traditions on gender relations. Patriarchal values still prevail with a woman still being regarded as weak, physically and mentally, and more likely an emotional creature ruled by her heart rather than her mind. The interviewees expressed their grievances regarding male treatment towards them in both the public and private spheres. Despite the fading cohesion of the tribe, their traditional values are strongly practised and defended because the tribe embodies the state and is the security backbone for the state. This

relationship of mutual dependency between the state and the tribe makes it difficult for women to strive for their empowerment, let alone the provision of their social needs. Political and economic amendments to their lives are accommodated by men, but accompanying social change is strongly resisted. Tradition becomes ever more un-changeable as it is viewed as essential for social stability in the face of modernization rather than something which much be eroded as a result of that modernization. This is not just about protecting social stability but about protecting the state itself.

> …the legitimacy of traditions, considered almost synonymous with Bedouin or tribal culture, has been defended as part of the near sacrosanct foundations of the state and as central to cultural heritage".(71)

Interestingly, Islam *per se* was not regarded by interviewees as the source of conservative traditions which discriminated against women, but rather patriarchal attitudes in general.

In the group interview in Karak, which included 18 women, the participants were keen to outline what they saw as the crucial measures which are needed to change this situation. These included: the amendment of family-related laws, the removal of any legal requirements for male permissions for travel or employment, improvement of transport infrastructures to reduce travel times and make travel safer for women, and state-sponsored improvement of employment opportunities for women to enhance their financial security.

4.8. Conclusion

The chapter has argued that the family and tribe continue to be of crucial importance for the women of Jordan. Social organization rests on the family, the extended family and the tribe, the values of which are based on a biologically-based division of labour between men and women. Men are stronger, physically and mentally, and therefore take on the primary role as breadwinner. In return for obedience, and according to their weaker, emotional and nurturing nature, women remain in the private realm taking care of their children and elderly relatives, but in turn being provided for by their husbands and male relatives. This form of social organization has been reinforced by the relationship between the tribes and the Monarchy. Their reciprocal support of one another has provided security for the state, in return for which the state has repeatedly endorsed the social values of the tribal system and even integrated them into its institutions and laws. Thus a paradox has arisen whereby on the one hand the state has assumed a constitutional commitment to women's equality and to state

provisions of their social welfare needs as citizens, and on the other it has maintained a normative system where women's social welfare needs remain the concern of the family and where she has access to provisions only if she conforms to the norms of obedience, subordination, and moral purity such that she does not bring shame or dishonour on the family. Women are caught between the contradictions of this: while the state provides quantitative aspects of her social welfare provision (more school enrolments, increasing entitlements to welfare support, supporting more women into employment etc), women's actual ability to access these, or to gain advantage from them, remains circumscribed by her familie's control over her and by social restrictions resulting from the "nationalization" of tribal values and practices.

Economic and social changes occurring within Jordan as a result of economic pressures, integration with global society, and political imperatives for reform, are not having the effect that women might hope for in improving their situation. The changes have certainly impacted on the cohesion of the tribe and the family, reducing the protection which they can offer women and which is supposed to guarantee the provision of their social welfare needs. However, the changes have not reduced the dependence of the state on the tribes but rather increased it, and the social values of traditional life which circumscribe women's behaviour and choices are only getting stronger. Patriarchal attitudes are stronger than ever as society seeks to stave off the perceived threats of profound social and economic change. Women continue to be faced with discrimination and seclusion in many major aspects of life.

CHAPTER FOUR

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CHAPTER FIVE

Women's Civil Society Organisations in Jordan

5.1. Introduction

As women have struggled to deal with the multiple challenges facing them as a result of patriarchy within both the state and the family and tribe, they have increasingly engaged in public activities which seek to protest against, or advocate change of, their subordinated status. They have done this through organizations and associations which can be described as civil society organizations (CSOs) or non-governmental organizations (NGOs). Such CSOs have developed to offer support for women in demanding that either the family or the state improves social welfare provisions, or even to offer that social welfare provisions themselves.

This chapter examines the role played by women's CSOs in Jordan, as well as the constraints under which they continue to operate. To do this, the chapter must first examine the status and structures of civil society in Jordan as a whole, locating this within the broader historical experience of Arab civil society. The chapter seeks to offer a working definition of civil society for the area, and to examine the extent to which it has been able to take its proper place in the state-market-family nexus. The chapter demonstrates that, despite significant achievements in the development of civil society in Jordan, the continuing limits placed upon it by a non-self-limiting and essentially patriarchal state, mean that its autonomy of action and therefore its ability to exert an influence for social and political change, remain seriously limited. Through the study of the legal status of CSOs, their funding arrangements and continuing interference from the state, the chapter will expose the fundamental weaknesses of women's CSOs.

The second part of the chapter will examine what kind of social welfare provision they are still able to offer through data collected from interviews conducted by the researcher with prominent women's CSO activists in Jordan and recipients of the support of CSOs. Four case-studies will be presented of women's CSOs currently operating in Jordan. The selection of interviewees in this case was restricted to only the heads or the general secretaries of selected CSOs. I chose the type of "structured interview", in which the researcher prepares a set of specific questions associated to the goals of the CSOs and accepts the answers as they are without further (subjective) interference by the researcher. This offered greater neutrality to the data gathered, in the sense that it allowed interviewees to have greater control over the conversation rather than

being controlled by the interviewer. May argues that "the rules of conducting such interviews are, therefore, standardizations of explanations, leaving little room for deviation from the schedule; eliciting only the responses of the person with whom the interview is being conducted; not promoting or providing a personal view; not interpreting meanings and simply repeating the questions and finally not improvising".(1) The decision was taken by the researcher to conduct this form of interview based on the reality of their various activities especially in regard to their presence and the time they can offer. As the interviewees had heavy schedules and were engaged in many activities such as organizing meetings and travelling to attend national or international conferences and governmental meetings and celebrations, their time was limited. The researcher therefore allowed them to select the most convenient place for them in which to conduct the interview. With this reality, the researcher conducted interviews with the following: Princess Basma Bint Talal, (Chairperson of the Jordanian Hashemite Fund for Human Development, (JOUHD), interviewed in her office in Amman), Ms. Asma Khudr, (Head of the Jordanian National Commission for Women, (JNCW), interviewed in her office in Amman), Mrs. Am'nha Al- Zughabi, (Head of the Jordanian Women Union, (JWU), interviewed in her office Amman), and Mrs. Nadia Bushnaq,(Head of The Housewives Association Family Guidance & Awareness Centre, interviewed at her own house and in a public place because of her schedule and movements). In order to confirm the information provided by interviewees, who obviously had the reputation and interests of their organisations to protect, the research cross-checked information as far as was possible either through study of information material provided by the organisations, or through her semi-structured interviews with other academics, analysts and civil society activists.

5.2. Defining Civil Society

It is not necessary here to examine the origins or lineage of the term "civil society". It is used here to refer to the collection of autonomous, voluntaristic organizations and associations which pursue public ends in relation to (but not seeking to overthrow) the state. This grouping, which exists in the public space, is neither state nor market, but rather stands between them and the family/private realm. As Michael Walzer explains:

> the words 'civil society' name the sphere of un coerced
> human association and also the set of relational net
> works formed for the sake of family faith, interest and
> ideology that fill this space.(2)

Such organizations might include trade unions, NGOs, social movements, universities, the press, professional bodies and religious institutions, but not political parties which –

although voluntary – seek to capture the state and its coercive instruments for their own ends. The objectives of civil society organizations include but are not exclusively the improvement of the performance of the state (both in terms of its relationship with society and its provisions for society). Jorgensen argues that civil society consists of groups or individuals work for the welfare of their society without the influence of a state or business. He writes that:

> Civil society allows the citizens of a country to act for what they think is the benefit of society's; it gives room for debate on the direction of social development, it is possible for people to influence government and business. The basis of civil society is the workings of society, and the recognition that periodical elections, and referendums, if these are held at all, are not sufficient. (3)

Jorgensen argues that one key objective of a civil society is to improve the life of the disadvantaged and the poor. It acts in relation to the other two social components - the state and the market. Each has a function different from the other but if they work together they can serve to benefit the whole of society. The function of the state is to make laws and enforces them; the market provides goods and a ground for exchange, and the civil society provides the ground for raising the issues, debates and proposals as to how best society should be organized, the state directed, and the market managed. More importantly, he emphasizes that a strong civil society reflects a strong and legitimate state and better development in economics and business. For him, they form a chain in which each component depends on the other.

The state is key in determining the condition of civil society. On the one hand, a strong state is needed to establish and protect the "rules" of public debate, preventing civil society organisations from behaving "uncivily" towards each other and ensuring that they do not seek to dominate one another, or exclude one another from the debate. Without a strong state, civil society is rather anarchy. At the same time, however, the state must be self-limiting: it must not seek to impose its own domination over the pubic space but must allow room for independent discussion, challenges, and mobilization by civil society organizations.

Civil society organizations are not profit-seeking (they are not market organizations) nor do they seek to capture power (they are not political parties). They are defined by their efforts to improve society and its relationship with the state for normative purposes. They complement both family/household and state in promoting the fundamental "requirement for strong companionship, care and welfare". (4) To this end, the state must allow them room to organize, raise funds to facilitate their activities, establish structures of managers, employees and (if necessary) volunteers, conduct their activities free from interference or state direction,

and when appropriate develop relationships with both the state and the market in order to advance their programmes. Where such organizations are able to develop freely and to proliferate, it can be argued that they contribute to, and play a vital role, in transitions to democratization.

5. 3. *Civil Society in the Arab World*

However, civil society in the Middle East, and in particular the Arab World, exists in a very different world from that described above. Although the number of CSOs has proliferated rapidly in recent decades,(5) and despite the language and terminology of civil society having been incorporated into government discourses, it is very clear that the Arab state is neither self-limiting nor committed to enabling a thriving civil society to exist. Authoritarian government remains the norm in the Arab countries and the state remains dominant over public space.

This has been explained in a number of ways. Authoritarianism has been attributed to the combined effects of the domination and then the fall of Ottoman imperial rule, colonialism, the fighting of 1st and 2nd World Wars on regional battle fields followed by the imperatives of Cold War rivalries, state-led development strategies in the era of independence, the discovery of oil and the development of rentier/distributive states, and the establishment of the State of Israel. Alternatively, some researchers have argued that civil society itself is not an analytical category appropriate to the Arab region, at least not without amendment.

As Tim Niblock has pointed out, the most prominent group structures to have filled the space between the state and the family in the Arab world have been informal, primordial groups like the tribe or clan. (6) Thus if we extended our definition of civil society to include these groups, we might see a more vibrant picture of activity than is perhaps suggested. This line of thinking has two problems: firstly, it ignores the importance of voluntarism to the analytical power of the term. Civil society requires that its participants place rational deliberation over the best route forward for society (and the state within it) before their ascriptive interests. In other words, tribes or clans are exclusivist whilst civil society is inclusivist of all society. Secondly, it risks endorsing the argument that the interests of developing societies can best be protected within the context of a similarly tribal, traditionalist, religious and conservative type of regime rather than by a freely elected and democratic government. The democratic developed world becomes mute towards non-democratic process and practices in the Arab World. As Norton says, "the vocal advocates of elections and political participation are suddenly mute when they step to the Middle East". (7)

Norton explains that "civil society is more than an admixture of various forms of association, it also refers to a quality, civility, without which the milieu consists of feuding factions, cliques and cabals". (8) He writes that "civility implies tolerance, the willingness of individuals to accept disparate political views and social attitudes; to accept the profoundly important idea that there is no right answer". (9) In other words, they must move beyond the ascriptive "social cages" of tribe or clan, and acknowledge the equality of other actors, the possibilities of rational debate, and the need to tolerate pluralism and diversity.

Norton is consequently disappointed that this concept of civility is missing in great parts of the Middle East. He argues that "civil society is undermined by a deficit in political tolerance and constructed by arbitrary government regulation. The absence of civility counsels scepticism about the short-term prospects for democracy in the region. When groups and movements do emerge as a result, they often come in the form of human rights and women's movements. Both assert fundamental moral claims, namely the dignity of the person and the quality of the individual. Since the claims of such groups are truly basic ones, they are not easily assailed, at least explicitly, by the authorities of the state". (10) However, without a final quality of civility, freedom, even these organisations are restricted in their activities and achievement. The state seeks to impose its own definitions of what constitute appropriate human rights or women's rights, co-opting CSOs to become quasi-nongovernmental organizations which are unable to resist its domination.

Not everyone is happy with this notion of an inevitably absent civility or a lack of autonomy on the part of Arab civil society. Saad Eddin Ibrahim has argued that autonomous civil society thrived in the form of guilds, merchants and the ulema in the pre-modern period, whilst Lisa Anderson has argued that Arab culture has not been either homogenous or static, and that the values associated with civility – trust, skilful organisation, reasoned debate, can be found in spatial and temporary locations throughout the region. (11) They argue against the idea that Arab political culture is to blame for the weakness of civil society, attributing it instead to the range of historical and structural factors mentioned above. However, patriarchal culture does play a role in another way.

Robert Putnam has argued that civil society organizations work best when they are "horizontal" structures. "Networks of civil engagement" need to foster trust, information-sharing and reciprocity. This is more likely to happen when CSOs are themselves democratic, transparent, and inclusive. CSOs which are run in non-democratic, heriarchical, personalized ways, do not foster this kind of value or behaviour. (12) Patrimonial or patriarchally-run CSOs tend to be opportunistic and more interested in rivalry than co-operation. (13) In other

words, Arab CSOs must escape both the domination of the state and the constraints of patriarchal political culture, if they are to serve their purpose in supporting the welfare of the society properly.

James Sater view takes another, more optimistic, approach to Arab civil society. He views civil society as being in opposition to the state, and in particular to authoritarian states within the context of "transitional politics". In his dichotomizing view of state-civil society relations, civil society will oppose the authoritarian practices of a regime whenever it sees the opportunity to do so. Referring to a number of examples in the Arab World, he argues that a "resurrection of civil society is likely to occur when an initial political opening has taken place". (14) Civil societies are therefore considered to be "a counter weigh to the state and more importantly, a pro-democracy movement". (15) He writes that:

> The linkage between civil society and democratisation should be obvious. Democracy after all is a set of rules and institutions of governance through a peaceful management of competing groups and / or conflicting interests. Thus the normative component of "civil s society" is essential the same as of that of democracy. (16)

Sater's second argument is that civil society should be looked upon as an "intermediary" between the state and the society. Referring to Gramsci's concept of the state-civil society relationship, he says:

> The medium of state power – domination and coercion-needs to be sustained through hegemony. Civil society is powerful system of fortress and earth works situated behind the state, giving the state its stability and power. (17)

Hegemony refers to the ideological construction which draws citizens into a conviction of the legitimacy of the state: it is "the entire complex of practical and theoretical activities with which the ruling class not only justifies and maintains its dominance, but manages to win the active consent of those over whom it rules". (18) Sater argues that in the Middle East, and due to lack of "hegemony" of any particular class, politics is characterized by "acts of capturing the state and acts of resisting its attempts at controlling the populace through its means of administration and policing". (19) In this regard, the state attempts two types of power control: it seeks either to preserve the status quo and the privileges of whichever group is dominant at the time, or it attempts to use strategies of political isolation and political co-option to adjust the status quo in favour of that dominant group. In this scenario, civil society is excluded and becomes nothing but "the servant of the state", being

denied "the possibility of constituting an autonomous sphere". Sater refers to this as "neo-patrimonialism". (20)

He admits this is not much different from Hisham Sharabi's notion of Arab neo-patriarchy. It rests on a political tradition of "patrimonialism", in which the authority of rulers rest on their serving as the "father" of the community, protecting and providing for the community in return for its loyalty and obedience. Sharabi has developed this idea in the context of the Arab region into the concept of contemporary neo-patriarchy, a modern version of the traditional patriarchal sultanate. The modern Arab state is described as being based on:

> The dominance of the father (patriarch), the centre around which the national as well as the natural family are recognised. Thus between ruler and ruled between father and child, there exist only vertical relations: in both settings the paternal well is the absolute will, mediated in both the society and the family by a forced consensus based on ritual and coercion. Significantly, the most advanced and functional aspect of the neopatriarchal state (in both conservative and 'progressive' regimes) is its security apparatus, the mukhbarat. A two state systems prevails in all neopatriachal regimes, a military-bureaucratic structure alongside a secret police structure, and the latter dominates everyday life, serving the ultimate regulator of civil and political existence. Thus, in social practice , ordinary citizens not only are arbitrarily deprived of some their basic rights, but are the virtual prisoners of the state, the objects of its capricious and ever present violence, much as citizens once were under the classical or Ottomans Sultanate.(21)

The core of the neo-patriarchal system is the distribution of favour and protectionism. Mediation is the function of this patronage system and provides security and protection of each individual and groups and even "strengthens the sense of identity and cohesion". More importantly, neo-patriarchy preserves stability but "its laws do not provide justice and protection for the ones who seek help from the state". (22) It, in effect, render "public institutions superfluous and displaces legality". In short, it takes away the right for an autonomous establishment of any kind. Therefore state-civil society relations within the context of the neo-patriarchal state are dependent and lacking in the necessary autonomy which would allow them to serve the function of protecting society, even from the state. CSOs become a sort of a quango, or quasi-governmental non-governmental organisation. They are allowed, even encouraged, when their agenda and objectives supports the prevailing status quo, or enables the state to co-opt new groups or exclude others. But they are

constrained from actively seeking to challenge the state, its allies, or the culture which sustains the status quo. Institutions become empty shells, the formal structures and languages of which disguise the reality of sustained "primordial links consisting of families, tribes, and religious orders". Such a "civil society" "puts conformity above originality and obedience before autonomy; it crushes creative talent and encourages only those power that help to maintain it". (23)

5.4. Civil Society Organizations in Jordan

The Jordanian constitution guarantees freedom of assembly and speech within the limits of the law and indeed Jordan presents slightly a different perspective than that described above. It can be argued that Sater was right to say that political reforms (however limited) have offered the opportunity for CSOs to push forward their interests and agendas, to organize themselves better, and to find a place for themselves in Jordanian life which has some degree of room for manoeuvre. Consequently, the UNDP's Programme on Governance in the Arab Region has argued that "The Jordanian civil society organizations (CSOs) enjoy one of the most favourable political environments in the Arab world for participating in their country's political liberalization". (24)

Civil society organizations really began organizing effectively in Jordan in the 1990s when democratic political reforms opened the space for them to do so and as economic liberalization reduced the social welfare provision of the state for society. They were also encouraged by their collective opposition to the 1991 Gulf War. When professional associations organized protests against the goals of the war against Iraq, the Jordanian government did not interfere, despite criticism of its own pro-war positioning. By 2009 it was estimated that there were 2000 CSOs in Jordan, with nearly 800,000 registered members (or 15% of the population). (25) A key component of the new freedom included the National Charter, adopted in 1991, which ensured citizens had the right to organize within a framework of pluralism and rule of law (although the state retained wide discretionary powers to refuse licenses, revoke them, and dissolve organizations).

> Nevertheless, civil society flourished some -what in the 1990s and early 2000s, in part because of the relative withdrawal of the government from certain social spheres, and in part because of an uncertain legal and political environment that created numerous "gray areas" that civic groups learned to exploit. But the government was also able to manipulate those gray areas to bend civil society organizations to its

> own purposes and to limit their independence. Today, efforts by the government to clarify the legal environment are having the effect of constraining civil society, just at a moment when non - governmental organizations (NGOs) are primed to support the next stage of political reform in Jordan. (26)

Jarrah asserts that most CSOs and NGOs are non-political, precisely because the state continues to circumscribe CSO activity in that area, introducing, for example, a restrictive Civil Society Law in 2008 which, whilst ultimately not signed by the King, remains on the books for reintroduction. This has been the result of both Government fears of allowing cleavages between Jordanians and Palestinians to re-open in the wake of the failing Arab-Israeli peace process, and as a result of perceived security threats after the 2005 Al-Qaidia attacks on two hotels in Amman. The Prevention of Terrorism Act of 2006, the Public Assemblies Law, and the amendments to the Press and Publications and Political Parties laws, have served to place new constraints on the rights and freedoms of charities, CSOs and NGOs, including on their rights to rally or protest, their abilities to take part in political activitism or work with overtly political groups, their freedom to accept donations, their ability to contest rescinding of a license and a number of other areas.

Norton disagrees with the pessimistic scenario. He suggests that, whilst so far, most groups and organizations are oriented towards the interests of non-political groups such as business groups or women, these groups serve not only to present their own economic or social interests assertively, but at the same time provide an "organizational pattern which can be adapted to other types of group".(27) Norton is consequently optimistic regarding an opening up in Middle Eastern political society and rejects the views that those societies appear to remain "backward and traditional".(28) Jarrah disagrees, arguing:

> Perhaps the greatest shortcoming of Jordanian NGOs is their internal structure. The fact that NGOs themselves are not necessarily democratic and lack transparency and good governance practices, such as oversight, has eroded their credibility and blunted the impact of their work and advocacy. Ironically, many organizations do not differ in their structure or methods of operation from the ruling parties. The inability to harness the energy and potential of their members and the reliance on decision-making and strategizing of a select few, helps to explain the weakness of NGOP's strategies and their failure to develop alternative programs of

democratic reform. Employees lack important organizational skills, and there is no clear career track or professional training for NGO workers or leaders. Activists report that skill requirements for hiring are weak, which means that many organisation have staff who are deficient in the minimum expertise necessary to play a role in a democratic transition. (29)

Their shortcomings are widely recognized: "Management, institutionalization and professionalization" are key obstacles in the development of CSOs, where "traditional leadership reflected on kinship and/or tribalism is the most prominent style". Some CSOs are fraught with conflicts between and among extended families and members of those families dominate their activities. Other small families are excluded and they subsequently seek to undermine the activities of the CSOs. (30)

In sum, we can say that, whilst Jordan has a developing civil society which has a greater degree of freedom than in much of the Arab world, it remains hampered by both continuing state interference and by internal organizational weaknesses that reflect – in Sater's terms, on-going neo-patrimonial cultural practices. Therefore, there are already limits on the degree to which civil society can fill a space between state, market and family, and in doing so provide for the welfare of citizens. Whilst they are increasingly relied upon to fulfil this role because the state is withdrawing from it, and the market cannot provide for those who cannot pay, both the state and the family (through the extension of its own traditional, patriarchal culture in the form of neo-patrimonial behaviour) continue to erode its autonomy.

5.5. *Women's Organizations in Jordan*

The history of women's organizations in Jordan precedes this more recent civil society development, the earliest forms of organisation to service women's social interests taking place at the beginning of the 20th century.

To begin with, women's organizations in Jordan were established by both middle and upper class Palestinian and Jordanian. The first women's NGOs were a reflection of the political and social turmoil that engulfed the whole Arab world after the First World War and coincided with the victory of the Western allies against the Ottomans. The social interests of women's NGO's at the time were articulated through charitable and voluntary organisations. Hammed has identified five historical periods in the evolution of Jordanian women's NGOs. His typology mirrors the political, economic and social development of Jordan, and shows

how the goals of the Jordanian Women NGOs have developed accordingly over time.

1. Pre-1937: This period is well known for the arrival of Palestinian refugees in Jordan as a consequence of the influx of European Jewish refugees from Europe into Palestine, which was then occupied under the British mandate rule. Jordanian women's public activities interests were principally for charitable purposes and sought to provide social services to the poor among the refugees. The tribal nature of the Jordanian society, which emphasizes generosity and hospitality, led to voluntary efforts to support the newcomers. At this stage, NGOs were largely gender-neutral and particularly sectarian. They were often established by the educated elites of sects such the Orthodox Christian community and their goals were to aid these specific communities, especially the poor among them. The "Dar El Ihsan" charity house was one such example.

2. 1937-1948: During this period women began to organize specifically for their own interests and to establish women's organizations devoted to servicing women's welfare needs. Although this period was characterized by a depressing status quo in the situation of women, there was a noticeable shift away from serving sectarian interests and towards serving the interests of women as a whole. This period was characterized by a growing consciousness among educated women of the issues facing them, both socially and in terms of political challenges. Nonetheless the objectives of women's NGOs this time remained as providing assistance to the poor, caring for children and providing them with shelter. Some of these NGOs were supported by members of the Royal family, for example, the "Jami'yyat al-Tadamun al-Nisa' al –Ijtima' iyyah" (The Women's Solidarity Society). Women's Federation also emerged and carried out work associated with the goals of meeting women's social needs, ranging from health and hygiene, to education, child care and support for mothers in need.

3. 1948-1969: This period was dominated by the arrival of a new influx of Palestinian refugees due to the defeat of the Arabs during the Israeli-Arab War at the hands of the Israelis, the partition of the land of Palestine and the UN recognition of the State of Israel. Women's NGOs consequently began a new phase. The members of the Young Women's Christian Association, who had fled from Jaffa and Jerusalem in Palestine, formed a new "Al-Ahilyah" school in Amman to accommodate the Palestinian refugees. They also converted private schools into hospitals, initiating a new form of re-organized voluntary. Two women's

organizations, the Women's Solidarity Society and the Women's Union, were reorganized into one society named the Hashemite Jordanian Women's Society in 1949. At the same year, a special department was established at the Ministry of Social Affairs. This was the first time that what had previously been confined to voluntary work officially became the affair of the government. All NGOs social work became a governmental issue and under the "auspices of governmental supervision". In this period a prominent Arab Women's Federation was established in 1954. Its targets were to fight illiteracy, encourage education and support women's participation, fostering international relations among women and subsequently supporting peace. Those goals were later developed to include seeking amendments to the Personal Status Law and the Labor Law in favor of women's social needs. They achieved some objectives such as enabling women to take part in military and civil training. This organization was later dissolved by the government for having been too explicitly engaged in political issues such as the Algerian struggle against the French and supporting the nationalisation of the Suez Canal during the period of Jamal Abd El Naser in Egypt.

4. **1967-1981**: This period was shaped by yet more political turmoil which left its impact on women's organizations, both in terms of their social aims and the political context within which they worked. The Jordanian Arabs lost a second war against the Israelis in 1967 and the West Bank, Gaza and East Jerusalem were subsequently occupied by Israel. Women's organizations took a strong political line in mobilizing support for the Arab armies as well as looking after the new influx of refugees from Palestine. As the Jordanian regime reeled from the political instabilities caused by both the war and the radicalization of Palestinians within its own border, it increasingly sought to impose limitations on liberties and political freedoms, banning political parties, cancelling elections, and ruling through Royal decree. The implications of this latter were reflected in women's activities, many of which were focused on Palestinian solidarity (or alternatively East Bank solidarity) and on taking the Arab cause into the international context via the women's movement. An International Year of Women was declared by the UN in 1975 and the Women's Federation Organization was recognized by the Ministry of Interior.

5. **1981 till Present**: This period has seen a dramatic shift in the activities and aims of women's NGOs in Jordan, especially since the disengagement of Jordan from the West Bank and its impact on Women's organizations. Jordanian women's organizations have become separated from Palestinians organisations and their activities have become centred around

more of a dialogue with other Jordanian organizations in the effort to advance women's social needs. This redirection coincided with the Nairobi International Conference on women in 1985, after which issues concerning women became more prominent in wider political and social debates internationally. The key feature of this period has been the proliferation of women's organizations, notably including the Jordanian National Committee for Women's Affairs established in 1992 whose aim is to introduce government policy and legislation to meet women's social needs.

In sum, Hammed writes that,

> Voluntary non governmental work in Jordan has witnessed fluctuations in both the quality of work and in the require services. During periods of political upheaval and mass-migration, efforts were directed towards solving the short-term problems of displaced persons, refugees and victims of war, while during periods of stability the main objective was to provide welfare services that could not be provided by the authorities. (31)

5.6. *The Legal Status of NGOs in Jordan*

Women's organizations generally fall into the category of Non-Governmental Organisations, since they pursue social and development objectives rather than political goals. Legally speaking, under Law 33 of 1966, the majority of the NGOs in Jordan are registered with the Ministry of Social Development or at any other ministries such as the Ministry of Youth, Ministry of Education, and Ministry of Planning etc. The law explicitly prohibits NGOs from pursuing political goals and does not distinguish between charity and development. The social work of NGOs is viewed as complementing the government's role and not competing with it. NGOs are only permitted to work in their specialized filed of work, after presenting a detailed description of their work and budget plans, to the relevant ministry, and receive their Registration Certificate from the related ministry (Global Development Forum, 2000). The NGOs registered with the Ministry of Social Development automatically become members of the General Union of Voluntary Societies, an umbrella organization that is supposed to give training and support to the NGOs and to coordinate their activities. (32)

However there are several Royal NGOs (RINGOs) in Jordan, which have a separate legal status than the above. The law does not restrict them, as they are founded by Royal degree. These NGOs are led by Royal patrons such as Princess Basma Bint Talal, the president of the Queen Alia Fund, Queen Noor, the president of the Noor al-Hussain

Foundation, and Queen Rania Al-Abdullah being president of the Jordan River Foundation. They have special relationships with the authorities and do not report to the Ministry of Social Development. This gives them much more freedom, not only in their decisions over their activities, but also in direct access to foreign donors, which the other NGOs officially are not allowed to pursue. Therefore they are more flexible and can accumulate funds, very much to the disadvantage of smaller NGOs. The Ministry of Social Development describes the relationship with the RINGOs as one of competition and complains about a lack of cooperation from their side. (33)

5.7. The Role of NGOs in the Development

NGOs in Jordan are classified according to their aims and the focus of their activities. Some are engaged in charitable functions such as cultural and literary work, while others pursue more substantial women's interests. According to Hammed, the data suggests that about 42.5 % of women's NGOs concentrate their activities in the rural areas and 39 % in urban areas. About 19.2 % of women's organizations are concerned with childcare; 17.8% are engaged in charity work; 12.3 % in training; 11% in women's issues and 39.7 % are not interested in women's issues; about 83.6 % are not interested in rural development and 82.2 % are not interested in urban development. The data shows that about 39.9 % of women who are in charge of NGOs are university graduates with a bachelor degree; 23.3 % are post graduates, 23.3 % hold a secondary school diploma, and 5.5 % do not have their primary school diploma. (34)

5.8. The State and NGOs in Jordan

As with all CSOs, the relationship between the state and women's NGOs is identified within the provisions of the Law no. 33 of 1966. In theory, the Ministry of Social Development has the legal right to oversee the activities of the NGOs such as visiting, reviewing its performance in relation to its goals or to review its financial status against its expenditure. Every NGO, like all CSOs, has to submit its annual report to the minister, which includes a financial statement and balance sheet. Jordanian NGOs who focus on political activities are under the supervision of the Ministry of Interior. The state can interfere with, or even close down NGOs if the issues they deal with, or their activities, appear to be, in the view of the government, a threat to national security or to the traditions of the society. The relationship between the two is a supervisory one dependent on activity: the less politically important the goals of the NGO, the less supervision is exercised and vice versa. This is

illustrated in the case of women's NGOs, the majority of women's organizations (50.70 %) stating that it is essential to have a good and supportive relationship with the state. About 41.1 of women's NGOs think that the state responds to their demands while 37 % thinks differently; 39.7 % regard themselves independent. 21.9 % of women's organizations have experienced some state interference in modifying their activities and 20.5 % being forced to either cancel some (35) or all of their activities. Recently, Jordan has "introduced a new Societies law that would give government power over how an NGO is funded as well as its decision making processes and activity". (36)

State support for women's NGOs comes in shape of funds. NGO funding is of importance for both the continuation and disappearance of the organization. NGOs whose activities are more in line with the state's political and social policies apparently receive more funds than the ones which are not. Funds are withheld if NGOs activities become too far from state objectives. If women's NGOs want to continue, then they need to remain within the framework of the state's political and social interests. But it is not only the state which imposes its agenda on Jordanian women's NGOs. External donors, Simadi and Almomani writes, impose their own social agendas without taking into account the authentic needs of the community. Foreign funding in Jordan has consequently become a controversial issue. The increased access of civil society organizations to external funding , and the sometimes sensitive issues for which funds have been allocated – such as human rights, press freedoms or gender equality- occasionally provoke acrimonious debates about the desirability of foreign funding.(37) About 31.5 % of NGO income come from the Jordanian state and 70. % comes from the private sector. Donors have, however, geographical preferences. NGOs in Amman and Zarqa receive more support and financial aid than other districts and areas. It suggests that the NGOs in Amman and Zarqa enjoy the availability of sources of support and reinforcement over others.   In fact, 14% of all NGOs are situated in the capital, Amman. The very specialized and big ones have branches in all the 12 governorates in Jordan and are registered in the Union of Voluntary Societies (UVS).

5.9. Women's NGOs in Jordan: Case Studies

In order to examine the role which NGOs, and particularly women's NGOs, play in meeting the social welfare needs of Jordanian women, the researcher has concentrated on a limited number of NGOs, examining their objectives, activities, and views on the challenges that they, and the women they help, face in meeting those needs.

The profiles of the NGOs selected will be discussed below, followed by a summary of

and analysis the data gathered from interviews with their managers, workers and beneficiaries.

5.9.1. The Jordanian Hashemite Fund for Human Development (JOHUD). (Non-Governmental NGO)

JOHUD is Jordan's largest and oldest non-profit NGO dedicated to promoting rights-based sustainable human development. It was established over 50 years ago and runs a network of 50 community development centres located in poor, underdeveloped areas of Jordan. Among its wide range of development activities, it runs the Regional Economic Empowerment for Women Project, and the empowerment of women features prominently throughout its other activities. The theme of support for women runs through all five of its five activity areas: community development, capacity building, project implementation, advocacy and fund raising. As well as employing over 450 staff, it draws on a network of over 4,000 women, youths and men, and works with a wide range of other NGOs, "jamaiyyas, local communities and other key stakeholders".(38) Its key objective is to support people so as to enable each citizen to have access to provision for their social and economic needs. In this light, JOHUD's key function for women is providing channels of support in order to enable them to participate in the political, economic and social sectors, at a local level. JOHUD's efforts focus on providing centres of training, consultancy and research. Projects of JOHUD target specific problems, and especially the ones which undermine women's empowerment. It also "mobilizes resources from individuals and organizations, to provide a 'safety net' for the most vulnerable". (39)

In order to achieve this, JOHUD established its community development centres with the majority of its managers being women. They equally focus on young people, however, and young people are by and large encouraged to take part in the centres' activities and to be engaged in advocating policies and programmes, that respond to community needs, especially those of the poor. The programmes are set up to promote "social, economic, political and cultural empowerment" and, in effect to build up an alliance at all level of the community. In

short, JOHUD supports local communities to work with municipal and governmental leaders so as to enable the community to establish its own priorities, to promote them within government planning, and to have budgets allocated accordingly. They aims to find solutions that are achievable and seek "win-win" scenarios for social change, strengthening solidarity rather encouraging conflict.
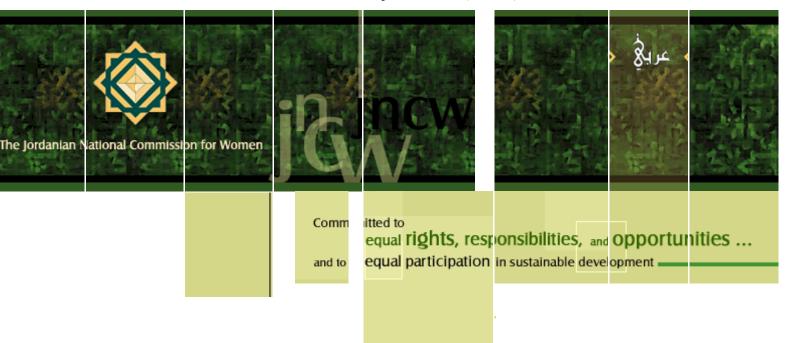
Amongst the projects JOHUD helps to establish and through which it supports local communities are the following: the Small Business Development Centre provides micro-entrepreneurs with non financial services such as training in feasibility plans, business management and product development as well as advice on how to manage credit; The Princess Basma Youth Resource Centre (PBYRC) provides advice in youth-friendly programmes and trains peer-to-peer volunteers who mobilise young people to play a leading role in local development processes; Beit al Bawadi helps in encouraging the production and marketing of handicrafts ; JOHUD's Technical Support Group helps farmers to improve irrigation techniques and rehabilitates water harvesting, and to adopt innovations such as grey water recycled systems, drip irrigation, home gardens, and perm culture systems. (40) Other key actions include combating child labour, mitigating against the impact of privatization, helping the poor claim land rights, and raising awareness of the impact on poverty of things like fuel price rises and the lack of equity in access to services.

JOHUD's mainstream activities in terms of women's social needs and more importantly women's empowerment are kindergartens, children's clubs, youth clubs, parents groups, ICT centres, vocational training, and special needs programmes. They aid the local community and women in particular, to build up women's self confidence, women's ability to take part, and in effect to participate actively in building up the society within the context of human and Islamic solidarity. It also provides direct assistance to women facing immediate acute problems such as death of a bread winner, the loss of employment or ill health, offering families in a vulnerable position by means of food, furniture and household goods. The so-called "good will" campaigns help almost 10,000 families each year. In this, JOHUD receives immense support from the government, the private sector, national and international business, as well as universities, hospitals, professional associations and the Greater Amman Municipality. Working with women's groups, JOHUD tackles issues such as the personal status law, inheritance rights and domestic violence. (41)

The researcher interviewed both the chairperson, and patron of the Fund, HRH Princess Basma Bint Talal, the Deputy Executive Director, Mrs. Eman Nimri, and Mrs Wilkie Williamson, the Strategic Advisor to the fund, to ascertain the nature of JOHUD's

engagement with women's social welfare issues, their objectives, and their achievements.

5.9.2. *The Jordanian National Commission for Women. (JNCW).*

The JNCW was founded in 1992 on the basis of a Cabinet decision. It brings together public and private institutions and individuals with the key objective being to formulate a "national strategy" for women's issues in Jordan. With the support of the Cabinet, it has sought to widen its area of responsibilities beyond this, identifying the priorities of women, and forming plans and programmes in order to enable women to achieve what is required to fulfil the needs they identify for themselves. The JNCW is headed by HRH Princes Basma Bint Talal and considers itself as representing Jordanian women at the national, regional and international levels.

The JNCW's main mission is to achieve the legal equality of women in all areas of government policy-making. It explains this as follows: "improving the status of women and enhancing their role in national development, increasing and encouraging the participation of

women in economy, politics, and decision making; and strengthening women's legal status". (42)

To achieve its aims, the JNCW, works with governmental and legislative institutions, reviewing their policies and processes to eradicate gender discrimination against women at the formal and legislative levels. The JNCW's key approach is collaborative. Its strategy is to focus on the major areas that can be of critical importance in the provision of women's social needs such as: "economic empowerment, legislation, participation in public life, information and communication and human security and social protection".(43)

Human security in this context is interpreted as meaning that: "the state in which individuals and communities have the options necessary to end, mitigate, or adapt to threats to their human, environmental, and social rights and are able to actively participate in attaining these options". (44) The four activities the JNCW engages in are as follows: "women and parliamentary elections, updating the national strategy for women, gender mainstreaming in the civil service commissions; and finally the promotion of gender equity through organizational development programme".(45)

The researcher interviewed Dr. Amel Al-Sabagh, the Former - General Secretary of the JNCW and Ms. Asma Khudr, a lawyer who is the current General Secretary.

5.9.3. The Jordanian Women's Union (JWU)

The JWU is a non-governmental organisation, was established in 1954, but later dissolved due to the emergency law that was applied to all organizations and political associations. It was re-established in 1974 under the name of The Women's Union of Jordan. Its status and operations were nonetheless precarious until 1990 when, following the government's declared intentions of returning to elections and democratic processes, it was able to consolidate itself.

The JWU describes its key objectives as being: "Recognizing women's rights first and making efforts to ensure that the empowerment of women enables them to achieve these equal rights based on equality, justice, equal opportunities and respect".(46) This objective is further broken down:

1. Human rights must be enhanced and especially those of women and children.

2. Protecting the national culture and encouraging democracy are the keys to protecting and achieve the rights of women.

3. Jordanian women must support all Arab women and in particular the Palestinians.(47)

Between 1993-1999, the JWU exerted pressure on both public opinion and policy

makers regarding the adjustment of gender discriminatory laws in the areas of citizenship, elections, family status, passport rights, social security and punitive (honour) crimes.

More recently their major activity has been to raise consciousness of women's issues such as literacy, law literacy, and health and parental consciousness. They have also sought to assist women in entering the labour market by establishing trainee centres where women learn skills in areas such as information and technology, beauty services, or sewing and embroidery. They have established free legal advice centres for women, where lawyers offer voluntary services to assist women with legal difficulties. Much of the work relates to assisting women who are victims of domestic violence and protecting women from violent abuse by their husbands or male relatives. The Union runs a women's hostel for women seeking refuge from domestic violence and is a member in the provisional Arab Women Court which was established in Rabat in Morocco in 1996. The aim of this court is to fight bodily, political and legal violence against women in all Arab countries. It was initiated by a number of Arab women NGOs in the Arab World as well as individuals. It now consists of organizations and individuals from 13 Arab countries.

The JWU also works with and for children. It has three projects, including a parliament for children between the ages of 13 and 18 years old. Using children to teach children, the JWU projects work with children who have behavioural problems, children who have dropped out of school and require other forms of education, and in teaching children about the concepts of human rights and democracy. It promotes gender equality through all these projects.

The JWU has local branches in Irbid, Ma'daba and Al-Bugah. It is self-supported, accepting no donations from donors who imposes their agenda on the JWU or from high foreign civil servants who work in Jordan. The researcher interviewed Mrs. Zughabi, the elected head of the JWU.

The researcher interviewed Mrs. Amaal Qwsmha the head of the JWU in Ajloun, and Mrs. Fatima Ubaydat, the head of the JWU in Irbid.

5.9.4. The Housewives Association Family Guidance & Awareness Centre

The Housewives Association was established in 1996. It is supported by donations from foreign as well as local organizations. Their brochure states that: "the Family Guidance and Awareness Centre" is affiliated to the Housewives Association in Zarqa, which was established by virtue of the decision no. 639 issued by the Ministry of Social Development for the year 1982. The association aims at "economic and social empowerment of Jordanian

women and their integration into development programmes, enabling them to contribute to and support the national economy, and thereby to promote the Jordanian Families."(48)

The key objective of the Association is help women in the context of their families, assisting families with managing economic and health-related burdens. The Family Guidance and Awareness Centre offers services and programmes in the fields of education, social and family support, psychological support, health, legal advice, scientific research, referral services, and follow-up support. For women, additional counselling is offered for professional growth, marriage and family issues, divorce, sexual problems, educational support and legal advice. (49)

The Association also focuses on domestic violence and in 2004 it established a "permanent headquarters for confronting domestic violence and rehabilitation of victims". (50) This is a complementary component of the National Family Protection Project which aims at "maintaining a safe society and a sound united family in which all can enjoy their human rights."(51) In addition, it established a "productive kitchen" to help women develop their financial independence, and an Information Technology and Community Service Centre in 2001 and a Women's Development Centre in 2002. (52) The researcher interviewed Mrs Nadia Bushnaq, the Head of the Housewives Association.

5.9.5. The View from Within: Interview Evidence

The interviewees identified a number of key areas which they need to address, individually and collectively.

A) *The Political Empowerment of Women*, and the establishment of their equal rights in the legal and public processes is clearly a major imperative if women. Mrs. Eman Nimri (JOHUD) stated that "the main gap lies in the perception of the state on the one hand; and on the other, how to translate the state policy and legislation into action in order to influence the daily life of women". (53)

Achieving this is repeatedly seen as only being possible if it is supported by the community as a whole. Women's projects are framed within community development, having the benefit of community support but also consequently having to negotiate traditional or conservative constraints. Mrs. Eman Nimri described one of JOHUD's achievements as "transferring women from the stage of non-participation in social, economic and political life, into mobilizing all the community members and changing all dimensions within the social context in order to provide women with the right space for women to participate and to become a member in the network of community centres, to encourage them in forming

women's committees and to act as a link between the community and centres in order to provide the right services. This process itself encourages women to take part, by and large, in all aspects of social, economic and political life". (54)

Mrs. Nimri explained that:

The mission of JOHUD is to act directly with local members of the community and more importantly, the key to their continuation for already over thirty years is their existence in the community through the network of economic development centres reaching directly women, young people and children. The JOHUD's main mission is to empower Jordanians as local communities to take an effective part in the development of women and their community. This is very much is linked to citizenship issue and that they act as citizens to have duties and rights and eventually to claim for themselves their social entitlements from the state. (55)

Changing the wider environment is a difficult task, as explained by HRH Princess Basma.

HRH Princess Basma Bint Talal, is the chairperson of JOHUD. In an interview with the researcher, she spoke of the many challenges which Jordanian women are facing: externally-driven challenges such as globalization, regional instability, economic difficulties and the volatile position of Jordan; and internally driven challenges such as financial security, social barriers, discriminatory allocation of resources, and poverty. HRH Princess Basma Bint Talal summarised her views that the "barriers that women of Jordan are facing are not mainstream and specific to Jordan only but are a mixture of all". Moreover she emphasized that "one cannot take the individual issues out of its historical context". However, "to achieve women's social needs is very difficult without an enabling environment". " This takes time. The state is changing but the people are not yet equipped to be self reliant, they remain poor and very dependent". In her eyes, therefore, JOHUD has to weigh the cultural reality and political difficulties before executing a project. In the end, it is forced "to prepare short-term initiatives and projects for women to enable them to stand on their own feet economically and achieve their needs", but is less able to alter the fundamental status quo. However, HRH Princess Basma Bint Talal is an optimist. "The political will exits and reforms must take place", thus most of her time is devoted to projects regarding the empowerment of women. (56)

The importance of wider political reform becoming more firmly embedded was reiterated by Mrs. Amnha Zoubi, head of the JWU. She shared HRH Princess Basma Bint Talal's view that "the people are not yet substantially convinced of the changes which are taking place, the openness of the state and the freedom of press. The culture of dependency on the others to do things and not to fight for them is the norm among the people". (57)

Mrs. Bushnaq (head of the Housewives Association) explained how, for all its talk of democracy, the state remains captive to "a number of forces which undermine women's advancement". (58) These include the influence of religious forces which have control over the poor majority and those who "use abusive social weapons to hinder women's support for sustaining women's candidates in the elections". (59) "Democracy is still in its infant stage" (60) she said with a sad tone that:

The state in itself is in a contradictory position regarding the needs of its citizens. The contradiction appears in supporting the tribal and family influences on the one hand, and on the other demonstrating its will to advance democracy and empower women. The latter creates the confusion in the individual's daily live. On the level of their personal lives, individuals demonstrate their loyalty to the family first; at the pubic level, they contend with the language of equal rights and citizen's rights. In short, democracy is not yet developed in Jordan. An Arab citizen is brought up with two contradictory personalities. Two opposites are in one person. The mixture of the above-mentioned contradictions creates an Arab personality, which is very difficult to correct. Loyalty to the tribe is evidently demonstrated more than loyalty to the state. Parties are tribal too. Tribe is so strong in the life of the Jordanian citizens. (61) To illustrate, Mrs. Bushnaq said that, "patriarchal and tribal mentality are embodied in the social system and family sexual relations. In order to bring about changes in the face of these challenges, time is needed as well as a strong will by both the state and the society. (62)

Again, the suggestion is that these contradictions within the state and the formal institutional arrangements in Jordan is reflected in short-termism in the provision of women's social needs was made by Ms. Asma Khudr, a lawyer and current General Secretary of the JNCW. She told that:

The issue is whether the social needs of women i.e., food, housing, social compensation during unemployment, illness and disability are considered a right. If they are, then we should request constitutional adjustments so that the state has to provide the basic needs of food, housing and work. If the system doesn't see these as rights, then we only get what the state offers as kindness and aid in cases of urgency. The existing system is providing a short term environment to ensure social peace and stability by giving aid via governmental and non-governmental agencies. i.e., the National Aid Fund. This fund is supposed to support the very poor families of Jordan. Critical bureaucratic measures exist in this process of aid. The people and especially the disadvantages are not equipped with the knowledge about it. The various efforts and institutions of aid must follow one clear system so as to avoid injustice in the system. Once people begin to have the feeling of their social security, it enhances their loyalty to their citizenship. (63)

Ms. Asma Khudr had strong views as "to who are in effect undermining the attempts of the NGOs to improve women's social and legal conditions, placing the blame on conservative and traditionalist forces who are in strong positions within the government and who perpetuate the power of the "culture of shame". (64)

The traditionalists are afraid to lose their power if the power of the individual is enhanced: those traditionalists occupy positions in politics, the media, religious hierarchy, tribal groups, and the economy. They are very strong. The powerful class does not encounter strong pressure group from the society, especially in the majority are very poor and very weak and need the support of the powerful groups. The resistance of those groups takes various shapes. For instance, the disadvantaged give their votes to the retired officers and ex-ministers in order to be helped if they win the elections. (65)

When it comes to these forces perpetuating the "culture of shame", this means that to do jobs that are considered to be lower than the social and educational background of the individual is a major impediment to improving women's conditions.

Therefore, liberating the individual by enhancing his/her legal right to food, housing and work would first weaken the power of the intermediary such as the family, the traditionalists or others and second it might participates in overcoming the sense of shame to do work lower than that of the social background of the individual. Moreover, the taxes must be used in the direction of strengthening the social security and should not to be used as a channel to accumulate the wealth in the hands of the wealthy persons or families. Therefore, the civil society organizations must take the task of enhancing the legal power of the individual in order to bring about the social security for all. (66)

Ms.Asma Khudr sees the force of law as the key weapon to bring about required changes in society. Under her leadership, the JNCW promotes the NGO as a mediator between the state institutions and citizens with the objective of achieving general goals related to democracy, civil rights and human rights. She said:

The programmes of women's NGOs have changed: instead of only focusing on our own charitable activities, we started to take on bigger, and by and large very substantial, issues of a political, economic and social nature. The JNCW arranges training courses and workshops to spread juridical education, training on the styles of pressure and negotiation and lobbying, and raising consciousness. Some women's organizations began delivering direct services for victims of domestic violence, guidance regarding the family status law; some of the organisations began to employ lawyers to defend women in the courtrooms. 10.000 women were trained during ten years in legal rights for women. The quantity of women who were trained does not necessarily mean that the progress is huge. There is a need for extra efforts and other programmes in order to reach the level of quantity and quality of women's empowerment and participation in the political, economic and social levels. (67)

There has been a change in terms of attitude from the Jordanian state towards women's issues. This change came from an open minded leadership which realized the importance and necessity of women's rights and their participation; but, this openness is faced with social obstacles. The women's NGOs support this change of the state, by exercising social pressure to bring about the change. The move of openness of the state is faced with resistance by the ones who are against the principle of total recognition of women's equal rights which is written in the Jordanian constitution. The JNCW managed to fight to get women employed as judges and now there are 23 women judges. In short, the Royal will and the society's movement has met with the goal to empower women. (68)

In sum, for Ms. Asma Khudr, "changes are gradually happening. The old debates used to be whether or not women are fit to work. Now a day, the debate is over what position a woman a woman can hold in the work place". (69)

Nonetheless, her analysis offers insights into the tensions within the state which exist as a result of the contradictions between a modernizing citizenship agenda and political reliance on traditionalist and conservative social forces. NGOs have consequently broadened their agendas from focusing on specific needs of women to addressing issues pertaining to citizenship itself, in the hope of affecting change in the state away from short-term political compromises and towards more long-term policies for women's social provision.

The interviews highlighted, however, that it is not just the state which must be changed. As Ms. Asma Khudr went on to say:

Still there are more other steps to be taken. The society, men and women, who seriously see, the importance of bringing a change, must carry the new project forward. Women have succeeded in building their alliance with the official side in dealing with women's issues; but unfortunately we have failed at the level of the popular ground (70)

The first group who need to be convinced are women themselves. "In our society, women want things without exercising enough efforts to obtain them (being dependents)", (71) she stated. "There is now more of an increased of self-awareness among young women: that they have the right to be equal to men in the working place. They need to take their issues in their hands and defend them. There should be no more silent majority especially among women. The cooperation between the officials, NGOs, and individuals would bring the change. Women should stop being hypocrite. That's can be done by forcing the law. Yes, women are afraid of social consequences but with the law in force, they would feel safer to fight for their rights. The time will come when women feel that the law is at their side. Education is a key tool in this regard". (72)

This was mirrored in the comments of Mrs. Eman Nimri (JOHUD), who stated that her organisation's approach had been inadequate when, originally, it operated from the top-down. However, following the findings of the 2004 Arab Human Development Report on empowering women, the organization has changed its approach. It has started to operate with local women in order to understand more of their social, political, environmental, cultural and economic issues. However, they have found that the majority of women in Jordan, regardless their social and economic status, are not yet ready to express themselves freely, if ever they do, they remain very cautious of the social consequences from the family and the society.

Although they can express themselves freely with people from outside their own social environment, women in Jordan live with constant anxiety regarding the social implications that could directly or indirectly affect their family's position within their own community as a result of their words or actions. Fear is still the key element impacting on what and how should women say or behave. When asked by the researcher whether women are too protected by their families, Mrs. Eman Nimri replied: "The organization's task (with emphasis) is to enable women to stand on their own feet on an economic level in order to enable women to feel themselves as strong citizens".(73) For Mrs.Eman Nimri, economic power holds the key to wider forms of empowerment for women and will eventually give them the confidence and freedom to express their wishes and wills without consideration for what might happen to the family name and their position. Mrs. Eman Nimri added that:

It is very hard to change attitudes. We need to work with men too. At least, it is our task to push the citizens to think about it. Dialogue is the key. Both social boundaries and lack of a real developed infrastructure are equal in hindering women's empowerment and it is slowing down the efforts of our NGO as organisations working for women, and for all Jordanian citizens in general. Last but not least, the NGO works with other organizations and with the state policy makers to reach the goal of empowering women in all aspects. (74)

The question of women's self-awareness, and their willingness to step beyond family conventions and constraints, was raised in another interview, this time with Ms. Winkie Williamson, a strategic advisor to JOHUD. She was commenting on "Maka'neh", a JOHUD project which aims specifically to enhance women's skills in discussing, articulating and advocating for their needs. In Ms. Winkie Williamson's view, the project promotes women to be in power.

It is a practical model especially in that it engages women to sit down and talk collectively about their problems and to identify common cause; moreover they find out about themselves and what they can do for themselves and the community. (75)

She acknowledges that this is essentially a western individualistic model whereas in reality Jordanian women chose for the common good rather than the individual. They focus on issues like health and education. In her view, "it is an interesting issue to pay attention to; the distinction they make between public and private issues. They would choose the social good rather than individual". (76) However, what is frustrating for Ms. Williamson is that "a fundamental requirement for the struggle of empowering women is to face up to yourself and your own disempowerment, fight for yourself and stand up for yourself and for the others. The Jordanian elite women are very reluctant. They are still not up to this stage". (77) She identifies once again the role played by fear of social stigma and shame attached to the family.

For example: "the abuse issue is a major one in Jordan but not more than anywhere else in the world". (78) However, women are still not confronting it directly; she confirms that "the family's name plays a role in the reluctant position of women in Jordan. The fear of the family and social consequence are key constraints as a matter of fact, here, in Jordan; which we do not have it in the West". (79)

When the researcher suggested that democratic government and economic development in the West had made it possible for women to struggle for their rights without fear, however, Ms. Winkie Williamson argued that:

Regardless of that, women in the West decided to fight for their rights and they demonstrated. They were subjected to punishment either by the state or the family. Without taking decisions and committing mistakes, sometimes a major one, there cannot be much change. (80)

However, she did identify that "there has been a change in Jordan over the last ten years". (81)

The moment of change came when the professionals working in the NGOs started to realize what they are fighting for, that it should be for themselves, not masking it by saying `I am fighting for other people'; because that replaced themselves with other, that's actually destroying solidarity. Because what they are saying actually then is that 'the other people are poor and ignorant and I am helping them, me as an elite person, I do not have a problem'. The reality is that they do have problem. Women of all classes are abused by way or another. Therefore, women must fight for themselves even if this fight will bring them into conflict with their sons, fathers, and husbands. (82)

The impact of family considerations on attitude towards women's rights was reinforced by Mrs. Nadi Bushnaq, head of the Housewives Association, although this time in the context of wider social attitudes.

The Housewives Association is an NGO which specifically targets the welfare of the Jordanian family, and women's welfare within it. Mrs. Bushnaq told the researcher that, regardless of the NGO's achievements for women at a local level, women are still suffering from the pressure of the family, its fears of their independence, and fears of the social consequences of women's emancipation. She argues that the will of the state is inadequate compared to the importance of these issues for society as a whole.

When it comes to issues related to the family and women, the House of Representatives delay making decisions or put the issues aside. The context of the particular or personal interests of well-known tribes or families, and traditional mentalities or attitudes towards patriarchal authority, as well as the Islamic movement are all playing role in this regard. (83)

Therefore, the driving force of the Association is to work on changing laws relating

to work and family status and to achieve recognition of the obstacles which current legislation poses to women's empowerment.

In this regard, the patriarchal system is still in force. There were many stories told regarding the domestic violence, divorced women who are denied all financial and moral support by their divorcees or the society, the sacrifices of women for their homes, children and husbands and the denial of self interest for the sake of the family. (84)

For Mrs. Bushnaq, "changing the unjust reality is an achievement for the women's NGOs. It takes time. The need for a planning of 5 to 10 years achieves some steps forward for women". (85)

Dr. Amel Al-Sabagh, a former General Secretary of the JNCW NGO, is a strikingly outspoken advocate for women, who spoke further about the gap that exists between the goals of her NGO to effect change in the legal regime that would enable women's empowerment and how much can realistically be achieved. She argued that Jordan is facing numerous economic difficulties such as poverty. She told that:

The family's role is no longer positive in many ways regarding women; even non-educated women see the family is an obstacle. Families allow their daughters to work as civil servants but not in the private sector. But the public sector cannot take all the females who want to work and the private sector is not encouraging them either. Women lack access to social security, especially the divorced and widows. Women, even at the age of 40 or more, need their father's permission of their fathers. In spite of all the serious efforts made by women's NGOs and the long way that women have come social obstacles are still in force undermining most efforts to enact legal change, especially of that family law. There are general social barriers; women belong to the private sphere, the private sphere is holy and secretive; And money is a big issue. Donors decide the agenda and the issues, issues which are sometimes not in accord
with women's social needs. The private sector spends its resources on various channels which are not benefiting women. (86)

Like Mrs. Nadia Bushnaq, Dr. Al Sabagh was hopeful that social barriers are gradually being diminished but she agreed that this is likely to take a very long time. For her, "it is not easy to just ignore the rooted patriarchal system and the strong resistance of the forces of traditionalist and conservatism. Legal issues need to be treated with cautiousness and we need to pay considerable attention to in order not to create an opposite camp which may lead to anarchy". (87)

The realization that change is likely to be only slowly-realised and that social attitudes need to change along with the law and political structures, can be seen in the work of the NGOs. The JNCW, for example, has established a centre to develop leadership skills among young women. The centre aims to work with girls of high and secondary schools and universities in order to build a new generation of young women who are able to express their

view and work for their needs consistently. Once again, however, the need to work with the society, rather than against it is emphasized. Ms. Asma Khudr said:

There is a need to be careful, because Jordan does not need a generational move from a very traditional into suddenly a very free society. Women's NGOs are responsible to protect this change. (88)

Mrs. Am'nha Al-Zughabi of the JWC also spoke of her organization's projects to educate children about democracy as a way of creating a new generation for whom women's rights are an essential component of the national project. She said that "democracy is a social attitude" (89) and that "the base of the Arab society is tribal, patriarchal and hierarchal where religious and social oppressions as well the political oppression are the norms". (90) Therefore, "teaching democracy to children and bring them up within this context would bring a healthy generation of men and women for the future of Jordan."(91) As Ms. Asma Khudr would have it, "the real development of a society and especially the Arab one is that women become the key part in this change". (92)

5.10. Conclusion

All the NGO representatives interviewed articulated the need for NGOs to work with the state and its institutions if they are to affect change, but equally that their efforts to enhance the provision for women's social welfare needs were limited because of the state's relationships with traditionalist conservative political allies and because of the patriarchal culture which subordinates women within and to the male-led family.

As CSOs, women's NGOs are constrained by the government's determination to control all political and public activity. Those which are most able to effect change by collaborating with state institutions are those with Royal patronage. But they are the least likely to challenge the basis of the regime itself – the monarchy's alliance with traditional social forces such as the tribes or the religious establishment. Even the independent NGOs are unable to do so substantively within the framework of current laws relating to CSOs. Therefore women's NGOs have to adopt an incrementalist approach, attempting to work with the state and its institutions to bring about democratic reforms which will benefit society as a whole and in doing so free up space to challenge the patriarchal political culture which currently pervades the state, its legal and institutional infrastructure. In the meantime, their projects are – like those of the state itself – often short-term and directed at alleviating the worst impacts upon women rather than altering the structures which make women vulnerable in the first place.

Women's NGOs are also constrained by the attitudes of women themselves, although this is changing both in general and within NGOs themselves. Women remain constrained by a culture of fear – fear of vulnerability, fear of shame, and fear of the anger of their families. There is hope in the way which women's NGOs in recent years have altered their own agendas away from patronizing elite charity towards less privileged women, and more towards a common struggle which is based on a bottom-up definition of needs, participation in their own provision and empowerment by women themselves, and a new sense of solidarity.

This analysis suggests that women's NGOs, or civil society in general, cannot alone fill the gaps in women's social welfare provisions left by patriarchal state and family structures. They are themselves victims to both the state and its traditionalist allies, and to the on-going patriarchy of the Jordanian family. However, they can and are identifying where changes need to be made to the broader political structures of the country to enable women to address their social welfare needs themselves, and they are training new generations of both women and men to the idea that societal development as a whole depends on enabling women to play a full and equal part.

CHAPPTER FIVE

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CONCLUSION

This study attempts to answer the question how - and to what extent - women's social welfare needs are provided for in Jordan. Whilst the Jordanian constitution suggests that the state has a crucial role to play in ensuring that the needs of all citizens are met, and explicitly states the equality of all citizens regardless of gender, the thesis demonstrates that it has in fact failed unequivocally to ensure that this is the case. Instead, the state is engaged in a complicated set of arrangements – formal and informal – with traditional conservative and social forces – which act upon it to infuse state institutions, policies and provisions with patriarchal norms and contradictory legal obligations. The result is that women remain largely dependent on their families and tribes to provide for their social welfare needs, and continue to find it enormously difficult to gain any form of independence as citizens because of institutional and social patriarchal obstructions.

At the heart of the problem lies the relationship between the state, with the monarchy at its head, and conservative elements of significant tribes which, through manipulations of the electoral "democratic" processes, remain disproportionately in positions of policy-making power. At the same time, these conservative elements form the backbone of the army on which the monarchy depends. Thus, the state of Jordan is dependent on and empowered by the conservative and religious elements of significant tribes. Its political and national security depends on them. The implications of this latter have included the weakening of the state when it tries to introduce serious measures to empower women and enhance their social welfare provisions independently of the tribes and the family-based norms which sustain them. Thus, while the constitution promises equality between men and women, family laws are determined according to the conservative patriarchal interpretation of Shari á Islamic law and traditional "Urf" laws. These pay little heed to contemporary economic realities which compel women to seek education, employment, and movement beyond the closed walls of the family. The prevailing social patriarchy ensures that women are systematically discriminated at all levels, made the state's theme of empowering women empty of its purpose. The study studies the symptoms of the state's failure in order to determine their origins. In doing so, the study adopts a research method that offers firstly a theoretical approach which understands women's social welfare provisions through the role of the state, family and market.

The first chapter demonstrated that the historical and political experience of any state is of importance in determining its will and capacity to develop a healthy social policy regarding citizen's welfare. Social policies which advance equal citizenship rights can effectively reduce the gap between men and women in terms of equal opportunities and enhanced standard of living. It can be said that social stability stems from executing a social policy that brings equality to all citizen, male and female. The force of law is in this regard of immense importance. It also demonstrated that the relationship between the welfare state and its citizen must be direct, with the role of alternative actors such as the family or the church being minimised. The role of the state in organizing the relationship between the family and the market is also of importance. The state plays a role in minimizing the effects of cultural norms which inhibit the welfare of women through its laws and regulations. The chapter demonstrated that the experience of Western industrialised countries has shown that democratic rule, equal constitutional rights, and progressive legal can work to minimize the cultural biases and discrimination against women at all levels, political, economic and social. Other players such the family and the church can play a beneficial role but cannot and should not replace the state. Nonetheless, the relations between them are important. In this regard, the chapter also showed that the specific historical experiences of less developed countries can result in very different relations between state, family and market and thus make the development of a welfare state specifically more difficult.

The second chapter explored exactly how this has been the case for Jordan. The historical political experience of Jordan is very different from that of the Western industrialised states which have developed progressive social policies towards women. It demonstrated that the state of Jordan relies on its close alliances with traditional Transjordanian tribal groups in order to secure its fragile regional location and its dependence on dependence on external political and economic support. The state in this regard has created a contradictory position for itself. On the one hand, it has developed in such a way that its legitimacy rests in part on a modern written constitution that recognises all citizens as equal before the law; on the other hands, it depend on conservative tribal and influential family players to ensure its security and social stability. Women are the first causality in this regard as they are caught between the developmental ambitions of the state and its own political structures. When the economy suffered from a labour shortage as men migrated to work in the more prosperous Gulf, the state urged women to join the labour market and to contribute to the economic welfare of the entire country, and it put in place various institutions and legal

measures to promote this. But this took place when most of the male Jordanian left Jordan to the Gulf States to work. As soon as the labour market changed, the state was urged by its more conservative elements to push women out of work and to stay at home. This instrumentalist approach, which derives from the inability to resolve its own contradictions, leaves women without real social security and their social welfare needs do not have a significant place within the hierarchy of social welfare consideration and are rather undermined despite the constitutional obligations of the state to its female citizens.

Chapter three shows just how the social welfare rights of Jordanian suffer from this fundamental contradiction between the equality in the constitution and the profoundly patriarchal system of laws and influences which derive from a combination of religious institutions and laws. The contradiction extends into the fabric of law making itself, which applies a fundamentally gendered approach rather than the equitable approach promised by the constitution of citizenship itself. The discrimination is even more evident in the Personal Status Laws which govern women's rights in marriage, divorce, custody, inheritance. Here, Islamic law prevails and, where this does not apply, traditions and customs fill in and are gendered. Islamic laws are also profoundly gendered and based on biological determinism, while traditional law believes that women are less and therefore they are treated less. This is demonstrated clearly through the state's response to the increase in domestic violence against women. Honour crimes are the essence of this violation of women's dignity as human beings. The effective endorsement of them stems from the prevailing patriarchal understanding of women's position in the society and is enhanced by religious teachings in the country. The state, although officially claiming to want to eradicate honour crime, does not interfering in traditional legal endorsement of it because the political system is strengthen by religious institutions and vice versa.

Since by now it has become clear that the state is failing to provide for women's social welfare needs, influenced by a traditional conservative social culture which locates women within the family rather than the public arena, Chapter four examines more closely the role of the Arab family, and specifically the Jordanian family, in meeting those needs. The status of the family is endorsed and reproduced through culture and religion, and also by the state itself, to the point of being regarded as a "holy" institution. Family members are sacrificed to the needs of this "holy family", working for and assisting each other. With "God's will" involved, there is little room for moderating or amending the concept of what the family can or should be. In this model, women are condemned to an eternal "lessens" than men, to

biologically determined functions which focus on the home and child-rearing, and which exchange provision of their social welfare needs for obedience, subservience and a subordinate status. Women have no choice but to submit and accept for to be condemned as disobedient to the males, the family and God's will is to be at risk of expulsion from the family and the protection it offers. Even when women move beyond the family into the private arena through employment and education, the norms and expectations of their role within the family, follow them and continue to constrain their access to resources, employment, freedom of movement, and political activity. In this system, there are no guarantees, women are subject to arbitrary decisions of others and are constantly vulnerable and insecure. Yet the chapter demonstrated that the family and tribe remain of importance in ensuring the social and economic security of women of Jordan simply because they can, and because the normative system requires them to do so.

The reality for Jordanian women is that they are systematically discriminated against both inside the family and in the public arena.

The strong patriarchal upbringing inside the family, however, is encouraged by the strong bond between the state of Jordan and its tribal allies. Political elites, including members of parliament, are heavily weighted in favour of tribal and large family associations. With such a structural inter-dependence between the state and tribe, it is unsurprising that the traditions and norms of the tribe and the family have permeated the infrastructures, legal framework, policy orientations and implementations of the state. Patriarchal notions of honour and shame, embodied in the behaviour of women and the expectations placed upon them by men, determine how women actually interact with the state and the public sphere to a much greater degree than the official statements of the state of a progressive status for women. The state endorses this influence informally and formally.

Consequently the efforts of the state to empower women via channels of education and participation in the labour market have focused on quantity rather than quality, on meeting targets of numbers of female school enrolments or numbers of women employed. The state has resisted any attempt to weaken the relationship between itself and the tribes that might have required it to improve the quality of provision for women, the substantive access that they can have to equitable education, employment, social security or legal protection. This contradictory approach has led to a sort of personal dilemma for most men and women in Jordanian society. Female and male individuals live a double-life, with two personalities, one

inside the home and another outside. Although the psychological impacts of this situation are beyond the scope of the thesis, the interviewees made clear the sharp dichotomies between their public acquiescence and their private aspirations.

Following the methodology suggested by our first chapter, chapter five examined the role of CSOs, those voluntarist associations which try to fill the gap in social welfare provisions left by the failing state and the patriarchal family. The chapter showed how civil society as a whole in Jordan can only operate within certain parameters which do not fundamentally challenge the prevailing political structures, or the traditional social forces which uphold them. By detailed profiling of the work, ambitions and strategies of CSOs working to improve women's social provisions, the chapter showed again how conservative patriarchal social influences limit the range of activities they can engage in and how they are dependent on the patronage of influential regime elites, particularly members of the Royal family, in order to find "space" for improving women's lives. This arrangement prohibits them from significantly challenging existing patriarchal social norms and forces them to focus on educating women (and men) towards a longer-term adjustment in social understandings of the role of women, their rights as citizens, and the developmental benefits of their improved financial and human security. This was not to deny the significant achievements being made in the development of civil society in Jordan, but recognises that its autonomy of action and therefore its ability to exert influence for social and political change remain seriously limited. The state uses civil society organisations to tentatively promote developmental agendas which include improving the status of women and provision for them, but constantly balances this with preserving the important support that comes for it from traditional social forces. In this regard, HRH Princess Basma 's sincere wishes to bring about a real change in the life of women of Jordan were not explicitly revealed during the researcher interview with her. Especially, on the issue of equal citizenship, the issue is fundamentally political and associated to the plight of the Palestinians. Therefore, HRH was very sensitive and careful in answering it. In regard to the power of the traditionalists and conservatives in undermining the efforts of the NGOs, she revealed some careful frustration, but she chooses the moderate and pragmatic approach to answer. Her views remain optimistic and very understanding of the political position of the state of Jordan as well her position as a member of the Royal family is also limited. Nonetheless, she remains highly optimistic that a gradual change to women's position will arrive in an historical moment regarding the new technology and vast communication via the Internet.

The answer to our original question then, is that women's social welfare needs in Jordan are not being consistently met, although there is a muddled and inconsistent *possibility* that some or all needs of individual women may be met. Even this is subject to arbitrary decisions by agents beyond her control, whether it is the males in her family, the tribal and religious elites who influence state policy, or broader social forces informed by the patriarchal social norms. She has no control over whether her welfare needs will be met, and the law provides no guarantees or consistency to which she can appeal when they are not.

The fact that the state has failed to fulfil its role here is due, as the first chapter suggested it would be, to the particular historical and political circumstances in which the state was born and developed, including specifically the construction of the state of Jordan out of a colonial past, its on-going military vulnerability to regional conflict and the influx of Palestinian refugees over time which always has the possibility of destabilising the politics of the country and the vulnerabilities of the its economy to both these regional instabilities but also to global processes. The thesis shows that when a state is subject to such constant threats to its own security and stability, it takes refuge in building alliances with supportive social forces but in doing so loses its autonomy to act with its citizens as it chooses. Indeed, citizenship itself becomes a negotiable issue. In this case, the rights to social welfare provisions which a modern state accords to its citizens become negotiable too. In Jordan's case, this negotiation has taken the form of traditionalist patriarchal allies of the state influencing public policy to accord women less than full citizenship rights and in doing so to restrict the social welfare provisions accorded to them by the state. The liberal feminist emphasis on the state and citizenry taken by this thesis is therefore justified.

The irony of this is that in the long term, states are more secure when they have full legitimacy embedded in direct relations between the state and ALL its citizens which are not interfered with by other forces. In short, until full political democracy is properly enacted in Jordan, the state will remain insecure, and women will remain discriminated against. It is perhaps no accident then that the literature referred to in chapter one developed the concept of the welfare state out of the experiences of the developed democratic west. It also suggests that the women activists of CSOs in Jordan have little choice other than to pursue their current strategy of seeking broader political and democratic reform as the means to unlock the dilemmas of the state in its dealings with women.

As a final note on this, the thesis also ultimately suggests that developing states cannot fully "modernise" without democracy – a lesson which will be unwelcome to those who aspire to an "authentic Arab alternative" to democracy.

Of course, by focusing on selected aspects of women's social provision, particularly their legal status, educational opportunities and employment prospects, this thesis has not presented the full-story of women's experiences in Jordan. Some women have indeed overcome the obstacles described here and overall if one takes a long-term view, one can say categorically that the status of women and the opportunities available to them have improved in Jordan over the last decades. However, this thesis hopes to make a contribution to our understanding of why that progress has not been as great as it might have been, or as many women have aspired for it to be.

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APPENDIX 1

Names & Functions of Interviewees

1. Miss Abla Hrout. Graduate, single and unemployed from Maádaba. Interviewed on July 2007, at the Queen Zein Al Sharaf Institute for Development (Zenid), Amman, Jordan.

2. Mrs. Amaal Qwasmha. Head of JWU (The Jordanian Women Union) in Ajloun. Interviewed on July, 16th, 2005, at the JWU Office in Ajloun, Jordan.

3. Dr. Amel Al-Sabagh. Former General Secretary of the JNCW (The Jordanian National Committee for Women). Interviewed in July 13th, 2005, at her office of the JNCW, Amman, Jordan.

4. Mrs. Am'nha Al-Zughabi. Head of JWU (The Jordanian Women Union) in Amman. Interviewed on August 2007, at the office of JWU in Amman, Jordan.

5. HRH Princess Basma Bint Talal. Chairperson of the Jordanian Hashemite Fund for Human Development (JOHUD). Interviewed on July 27th, 2005, at her office at (JOHUD), Amman, Jordan.

6. Mrs. Eman Nimri. Former Deputy Executive Director at (JOHUD). Interviewed on July 2005 & 2007, at JOHUD office, Amman, Jordan.

7. Miss Eman Zobi. Graduate and single from Jeresh, Jordan. Interviewed on July, 2007, at the Queen Zein Al Sharaf Institute for Development (Zenid), Amman, Jordan.

8. Miss Etidal Atyat. Graduate, single from Jeresh, Jordan. Interviewed on July 2007, at the Queen Zein Al Sharaf Institute for Development (Zenid), Amman, Jordan.

9. Mrs. Fatima Ubaydat. Head of the JWU (The Jordanian Women Union) in Irbid. Interviewed on July 25th, 2005, at the JWU office in Irbid, Jordan.

10. Miss. Gharam El Nawiyasha. Young, single and unemployed. Interviewed on July 2007, at the Queen Zein Al Sharaf Institute for Development (Zenid), Amman, Jordan.

11. Dr. Hassan Barari. Former –Deputy Director of the CSS (Centre for Strategic Studies) of the University of Jordan. He is currently an International fellow at Washington Institute. Interviewed on July, 2004 & 2005 at the office of CSS, University of Jordan, Amman, Jordan.

12. Dr. Hussein Uthman. Sociologist, and Development, social Policy, welfare & Poverty analyst in (Jordanian family & Domestic Violence) at the National Council for family centre of HER Highness of the Queen Rania. Interviewed on July 9th, 2005, at the office of her Highness the Queen Rania, Amman, Jordan.

13. Dr. Khaled Al Wa'zni. Head of the Social Security Directory. Interviewed on August, 12th, 2004, at the office, Amman, Jordan.

14. Dr. Mahmoud Káffwayen. Head of the National Aid Fund. Interviewed on August 11th, 2004, at the office in Amman, Jordan.

15. Dr. Majdi ELDin Khayri. Sociologist at the University of Jordan. Interviewed on July 2004 & 2005 at his office, University of Jordan, Amman, Jordan.

16. Mrs. May Abu Al Samen. Senator at the Jordanian Lower House and activist for women's political rights at the JNCW. Interviewed on July 17th, 2005, at her office, Amman, Jordan.

17. Mrs. Menal El Qatawanha. Graduate, married and unemployed. Interviewed on July 2007, at the Queen Zein Al Sharaf Institute doe Development (Zenid), Amman, Jordan.

18. Dr. Mohammed El M'usallha. Former Deputy Leader of the Jordanian Lower House & Political Scientist. He teaches political science at the Jordanian Universities. He also works on environmental issues. Interviewed on July, 20th, 2005, in Amman, Jordan.

19. Dr. Mousa Shetewi. Sociologist at the University of Jordan & director of the Social Development Journal in Amman, Jordan. Interviewed on July 2004 &2005, at the Centre of Social Development in Amman. Jordan.

20. Dr. Mustafa Hamã'rnha. Former Director of the CSS of the University of Jordan, Amman, Jordan. Interviewed on July 2004, at the office of the CSS, University of Jordan, Amman, Jordan.

21. Mrs. Nadia Bushnaq. Head of the Housewives Association, family Guidance & Awareness Centre in Arbid. Interviewed on July 2004, at the Centre in Irbid, and on July 18th, 2005 & 2007 at her home, Amman, Jordan.

22. Mrs. Nawal al fa'aouri. A civil servant at the Ministry of Social Welfare. She is an Islamist activist of the Welfare of the Jordanian Family & a member of the Islamic party. She is an advisor at the advisory Council in Ma'daba. Interviewed on July 20th, 2005, at office of the Ministry of Social Welfare, Amman, Jordan.

23. Dr. Rubaa Al-Turk, Manager Director of Social Security at the Ministry of Planning. Interviewed on August 16th, at the Ministry of Planning, Amman, Jordan.

24. Mrs. Salaw Nasir. Former Journalist & Women's Right's Activist. Interviewed on July 8th, 2005, at her home , Amman, Jordan.

25. Miss. Shadha Mahmoud. A young women's rights activist works at the Archive section, at the (UNIFEM) Centre. Interviewed on July 12th , 2005, UUNIFEM office, Amman, Jordan.

26. Druud Dawoud El Barari. Director of Family & Social Security Department of the Ministry of Social Welfare Development. Interviewed on July 28th, 2005, at the Library premise of the University of Jordan, Amman, Jordan.

27. Mrs. Zakiya Jameel El Sarayrha. Graduate, married and unemployed from Karak, Jordan. Interviewd on July 2007, at the Queen Zein Al Sharaf Institute for Development (Zenid), Amman, Jordan.

28. Ms. Winkie Williamson. Strategic Advisor at "Beit Al Bawadi", Amman, Jordan. Interviewed on July 2005, at the Centre of "Beit Al Bawadi", Amman, Jordan.

29. Mr. Zayad Al'wnha. Head of Local NGO called "LHAP". He is a consultant and researcher in the field of Environment Protection and Development. Interviewed on July 2004, 2005 & 2007, at office, Amman Jordan.