

Reforming Jordan's Gender Quota: Making Space for Women in Parliament

Hayat - Rased

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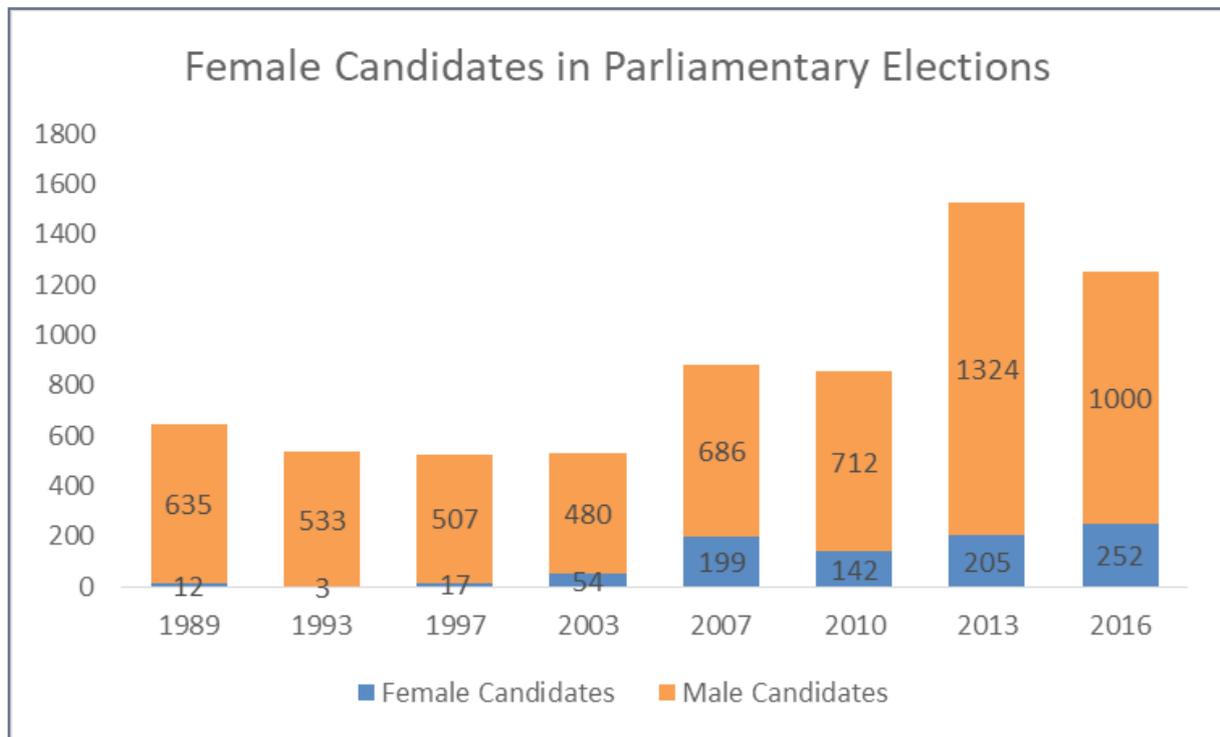
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Summary

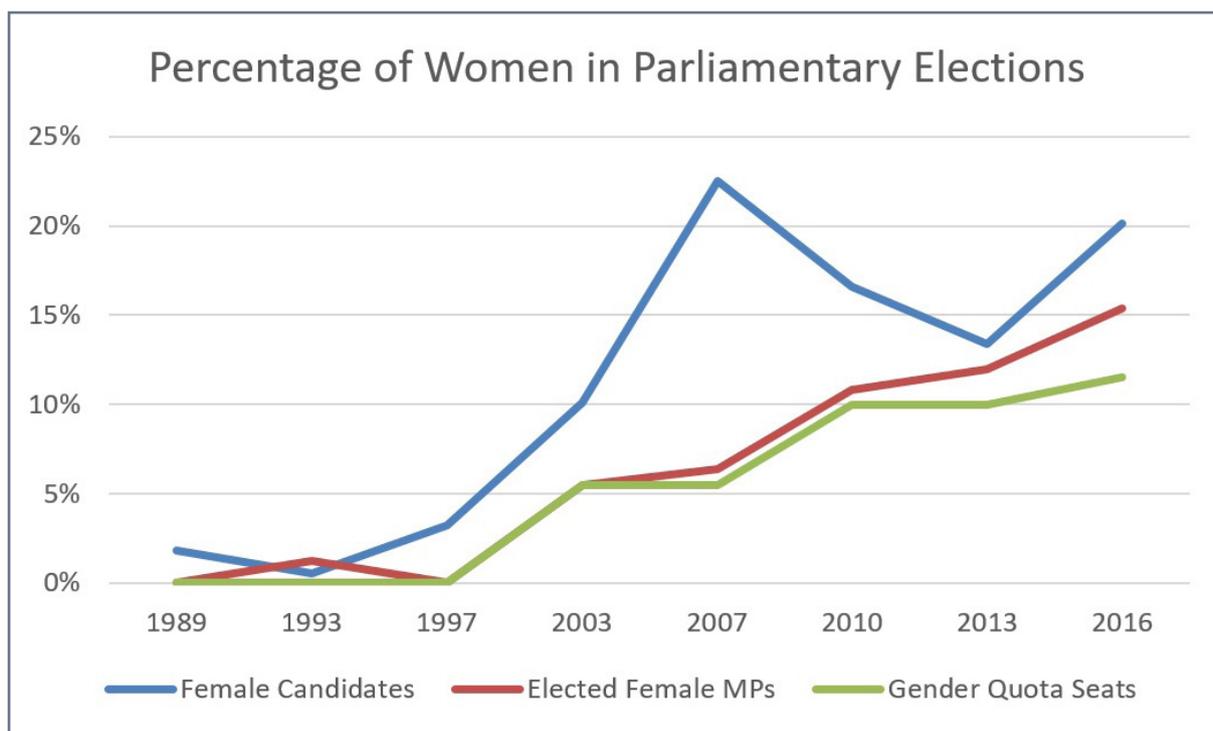
As the main seat of elected political power in Jordan, Parliament is an arena in which female parliamentarians are vital to the development of women's rights and government reform. However, with a gender quota that reserves only 15 out of 130 seats (12%) for women, equitable representation for women in Jordan's electoral lists and Parliament remains elusive. Meanwhile, due to the quota's structure, female parliamentarians are not representative of Jordan's population distribution or minority groups, and are popularly seen as incapable of political leadership. To achieve equitable representation, Jordan's electoral laws should be updated. This update should be coupled with public education on women's capacity as parliamentary leaders, as well as capacity-building, funding, and legal support for female candidates and parliamentarians, particularly those from marginalized groups. These measures would create new spaces for women's leadership in Jordan's parliamentary and public contexts.

Background



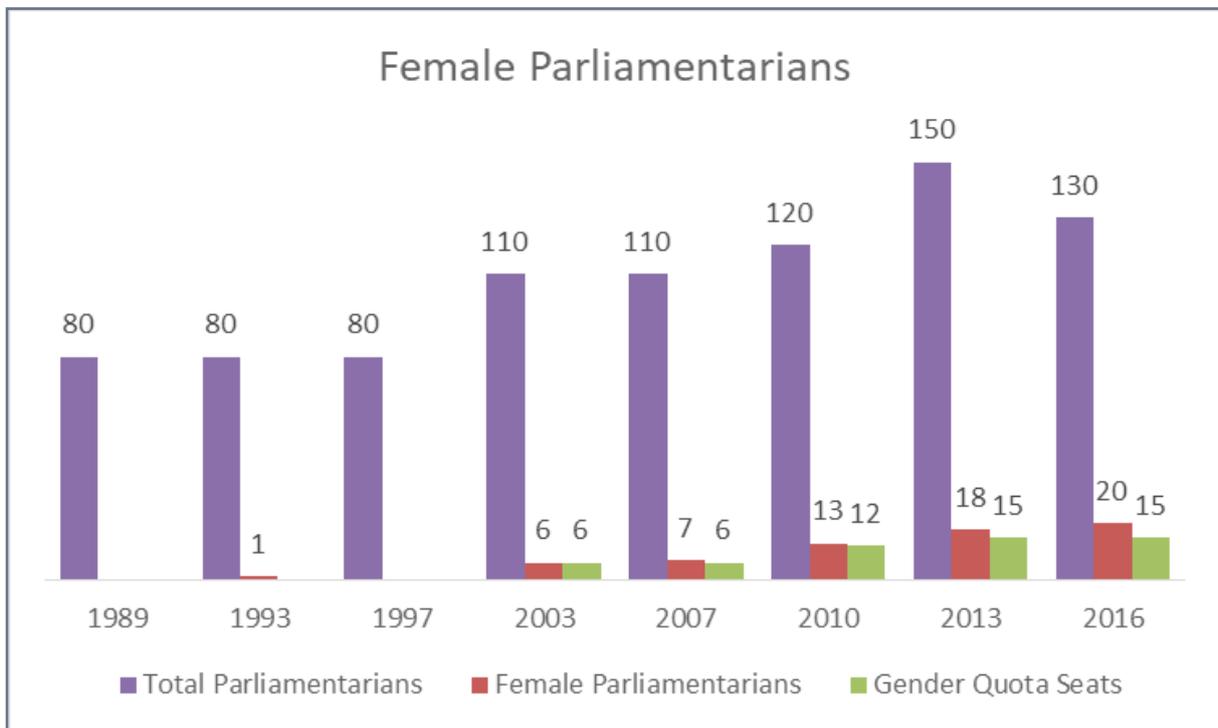
Jordan's gender quota responds to an electoral setting in which female candidates are severely disadvantaged. Preceding the gender quota, Jordanian women were rarely elected to Parliament. Women gained the right to run for Parliament in 1974. This right was first applied in 1989, at the end of the Jordanian Parliament's suspension, which had extended since the 1967 elections. However, in the following three elections for the 11th, 12th, and 13th Parliaments, women never made up more than 3% of the candidates. During this period, only one woman won a seat, in the 12th Parliament, and she promptly lost her seat in the next elections⁽¹⁾. In response to the seemingly insurmountable barriers to women's participation in the 11th, 12th, and 13th Parliaments, Jordan introduced a gender quota in the Election Law of the House of Representatives (Law No. 11 of 2003).

(1) Amal Mohummad, Ali El Kharouf, and Mohummad Al-Jribia, "The Evolution of Women's Political Participation in Various Public Offices in Jordan," *Journal of Social Sciences* 13:1 (2017); "JORDAN: parliamentary elections Majlis Al-Nuwaab, 1989," Inter-Parliamentary Union (1989); Abla M. Amawi, "The 1993 Elections in Jordan," *Arab Studies Quarterly* 16:3 (1994); "JORDAN: parliamentary elections Majlis Al-Nuwaab, 1997," Inter-Parliamentary Union (1997).



Today, most female parliamentarians in Jordan’s open-list parliamentary electoral system are elected by way of the gender quota, which currently reserves 15 out of 130 seats (12%) for women. This “best loser” quota system resides within an open list parliamentary electoral system in which citizens can vote for a list from their electoral district, and can additionally vote for one or more candidates within their chosen list. Following elections, based on a tabulation of votes, seats are proportionately distributed to the lists, and the male or female candidates with the most votes within the lists are granted seats, winning through competition. According to Jordan’s Election Law of the House of Representatives (Law No. 6 of 2016), in addition to any women who win seats through competition, a gender quota reserves one seat in each of the 12 Governorates and three Badiyas for a woman who did not receive enough votes to win through competition, but did receive more votes than any other female candidates in her Governorate or Badiya.

What's the Problem?



Although the gender quota has allowed women to gain ground in Parliament since 2003, inequity remains a sizeable issue. Since its introduction, the gender quota has undergone three permutations, beginning by allocating 6 of the 110 parliamentary seats (5%) to women, increasing in 2010 to 12 of the 120 parliamentary seats (10%), and changing to 15 of the 150 parliamentary seats for the 2013 elections. Despite these developments, women have never made up more than one-quarter of parliamentary candidates or one-sixth of parliamentarians. Female parliamentary candidacy reached its historical peak in 2007, when 199 of the 885 candidates (22%) were women – after which point the percentage of female candidates declined. Jordan's current Parliament has achieved Jordan's historically highest level of female representation, with women elected to 20 of the 130 seats (15%) - 5 women winning through competition⁽²⁾. These achievements support the effectiveness of the gender quota as a tool

(2) Amal Mohummad, Ali El Kharouf, and Mohummad Al-Jribia, "The Evolution of Women's Political Participation in Various Public Offices in Jordan," *Journal of Social Sciences* 13:1 (2017); "2007 Parliamentary Election Observation Project," Al Hayat Center for Civil Society Development; "Jordan election victory for pro-government candidates," BBC News, November 10, 2010; "Jordan Parliamentary Elections January 23, 2013," International Republican Institute (2013); "The Hashemite Kingdom of Jordan Parliamentary Election, 20 September 2016," European Union Election Observation Mission, November 13, 2016; Amer Bani Amer et al, "Al-Taqrir al-Nehai l-Mukharajat Muraqabah al-Intakhabat al-Barlamaniah al-Urduniyah 2013" [The Final Exit Report on the Results of the 2013 Jordanian Parliamentary Elections] Al Hayat Center for Civil Society Development

for increasing women's representation in Parliament, but showcase the insufficiency of the quota's number of parliamentary seats.

This flaw is coupled with the quota's lack of support for equitable representation of women within the electoral lists, which have displayed uneven gender distribution since the 2013 introduction of proportional representation. In 2013, only 86 female candidates ran in lists, of the 830 total candidates running in lists (10.4%) – a lower rate than that of female candidacy. In 2016, 8 of the 226 lists (3.5%) included no female candidates and only 86 lists (38.1%) had female candidates within the maximum allocated seats⁽³⁾. The quota perpetuates this disconnect between female candidates and electoral lists by applying only to the final election results, rather than engaging in the electoral mechanism of female inclusion within electoral lists; and by linking women's election within the quota to individually garnered votes, rather than votes for the female candidates' electoral lists. In an interview with Hayat-Rased, former MP Rula al-Hroob explained that as Jordanians increasingly understand the interplay of the open-lists and the gender quota, men are realizing that it disadvantages them to have a "strong woman" on their electoral list. However, without equitable representation in the electoral lists, it is unlikely for women to achieve equitable representation in Parliament.

Meanwhile, due to the gender quota's structure, Jordan's diversity is not represented among elected female parliamentarians. To begin with, providing a seat for only one woman from each Governorate and Badiya does not accurately reflect Jordan's population distribution. 75% of Jordanians live in Amman, Irbid, and Zarqa⁽⁴⁾, but are only represented by three female parliamentarians within the gender quota (2% of parliamentarians) – as compared

and the Coalition for Monitoring the 2013 Jordanian Parliamentary Elections (2013); "RASED's Study on Women Attitudes towards Jordan's 2016 Parliamentary Elections," RASED, October 9, 2016; Amer Bani Amer et al, "RASED Key Findings on the Monitoring the 2016 Parliamentary Elections," Al Hayat Center – RASED (2017).

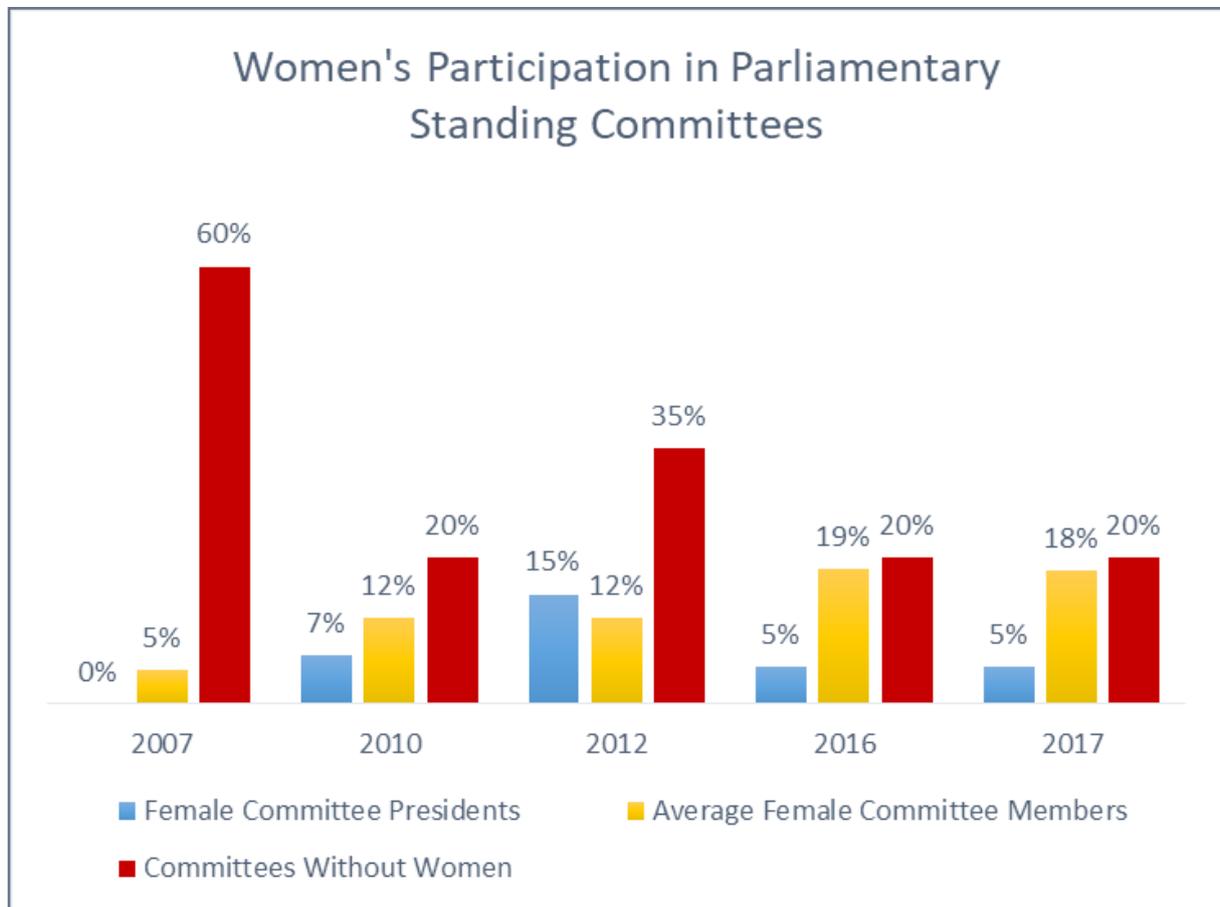
(3) "Waraqa Siyasat Hawl Tamthil al-Marah Fi al-Mawaqa' al-Qiyadiyah Fi al-Ahزاب" (Policy Paper on the Representation of Women in the Leadership Positions in the Parties), The Arab Women Parliamentarians Network for Equality, 2018; Amer Bani Amer et al, "Al-Taqrir al-Nehai I-Mukharajat Muraqabah al-Intakhabat al-Barlamaniah al-Urduniyah 2013" [The Final Exit Report on the Results of the 2013 Jordanian Parliamentary Elections], Al Hayat Center for Civil Society Development and the Coalition for Monitoring the 2013 Jordanian Parliamentary Elections (2013); "RASED's Study on Women Attitudes towards Jordan's 2016 Parliamentary Elections," RASED, October 9, 2016;

(4) "Jordan Statistical Yearbook," The Jordan Government Department of Statistics (2017).

to their 59 male counterparts (45% of parliamentarians). The 23 electoral districts used in the general elections, although still underrepresenting these population centers, better approximate Jordan's population distribution, providing Amman with 5 electoral districts and 25 parliamentary seats, Irbid with 4 electoral districts and 18 parliamentary seats, and Zarqa with 2 electoral districts and 10 parliamentary seats. However, electoral districts are not taken into account by the gender quota, allocating insufficient representation for women in more populated areas.

Additionally, although Jordan has instituted minority quotas for Christians, Circassians, and Chechens, women from ethnically and societally marginalized groups are virtually unrepresented in Jordanian Parliament. To provide background on the minority quota system, Christian men can only be elected to the 9 parliamentary seats reserved for the Christian quota in 7 electoral districts. Likewise, Circassian and Chechen men can only be elected to the 3 parliamentary seats reserved for the Circassian and Chechen quota in 3 electoral districts. Christian, Circassian, and Chechen female candidates are likewise restricted to parliamentary seats within electoral districts that include their minority quota. However, within these districts, Christian, Circassian, and Chechen women can be elected to either minority quota or gender quota seats. Judicial Council Decision 6 of 2016 clarifies that if a Christian, Circassian, or Chechen woman receives more votes than the other minority candidates within her district, she wins a minority quota seat, rather than a gender quota seat. Despite technically having more pathways to election than minority men, minority women have low chances of getting elected. These women are the least likely to be elected through the minority quotas because of their gender identity, and the least likely to be elected through the gender quota because of their ethnic identity, in addition to being excluded from running in most districts or winning through competition. As such, in 2016, only 5 of the 58 Christian candidates were women (9%), and only 2 of the 22 Circassian and Chechen candidates were women (2%), but none were elected. In fact, no Chechen woman has ever been elected to Parliament, and the only Circassian female parliamentarian, MP Toujan Faisal, was elected in 1993 – meaning that no Circassian women have been elected since the introduction of the gender quota. Meanwhile,

former MP Salma Al-Rabadi, who was elected in 2010, is the only Christian woman to ever have gained a parliamentary seat⁽⁵⁾. This lack of representation for minority women reflects an intersectionality of marginalization that is not redressed by the quota.



In terms of substantive representation, once elected, female parliamentarians face limitations in setting the legislative agenda. In an interview with Hayat-Rased, Saddam Abu Azzam, the former Director of the Jordanian Parliament's Research Center, provided the anecdotal example of the derogatory preparation for a typical public hearing, in which "they say, come on and bring us a woman so it looks like we have 'women's rights.'" This marginalization of female parliamentarians is reflected in the current Parliament's leadership, where the Speaker and First and Second Deputies are all men, and no women were nominated as candidates for the positions of Speaker or First Deputy. Historically, no woman has ever been elected as

(5) Khalid Issa Aladwan and Khaled Mufadi Aldabbas, "The Jordanian Parliamentary Institution: A Study in Political Representation," *Dirasat, Human and Social Sciences* 42:1 (2015); Curtis R. Ryan, "Déjà vu all over again?: Jordan's 2010 elections," *Foreign Policy*, November 15, 2010; Rana Husseini, "Activists expect at least three female Islamist MPs in next Parliament," *The Jordan Times*, September 20, 2016.

Speaker of Jordanian Parliament, and former MP Falek al-Jamani, who was nominated during the 15th Parliament's first ordinary session, is the only woman to have contested the position. Women are also excluded from leadership of the Standing Parliamentary Committees. During the current Parliament's first and second ordinary sessions, of the 20 Standing Parliamentary Committees, only the Committee on Women and Family Affairs had a female president. As MP Wafa' Bani Mustafa of Jerash described in an interview with Hayat-Rased, women "usually don't get such opportunities, despite being qualified for the position." Meanwhile, women were entirely excluded from the membership of the Palestine Committee, the Financial Committee, the Committee on Energy and Mineral Resources, and the Committee on Labor, Social Development, and Population⁽⁶⁾ – an influential subset of the Committees. In Hayat-Rased interviews with 17 current female parliamentarians, many admitted that their efforts were limited by a male-dominated Parliament – both numerically and culturally. As MP Ibtisam al-Nawafleh of Ma'an described, "When there is a committee meeting or a voting session for the committees, the blocs, or any activity, the men are the strongest and the ones who take control."

Finally, the mechanism of the "best loser" quota system may skew public perception of female parliamentarians. Compared to quotas incorporated into electoral lists, the International Institute for Democracy and Electoral Assistance identifies this particular quota system as "more challenging than other types, as the preference given to a candidate on the basis of gender is more obvious than it is when quotas are used in the nomination process." This aspect of the "best loser" quota system may exacerbate the already acute issue of widespread distaste for female leadership in Jordan, identified by years of surveying. The World Values Survey showed that from 2010 80.5% ,2014- of Jordanians agreed that men make better political leaders than women, and that percentage remained at 74% in 2017 according the Arab Barometer. MP Zainab al-Zubaid of North Badiya expressed in an interview with Hayat-

(6) Amer Bani Amer, Amro Nawaiseh, Deema AlKharabsheh, Dyaah Mbyden, Sami Ghonajoq, Mustaf Ryalat, "RASED's Executive Summary of the Performance of the 17th House of Representatives 2013-2016-," Al-Hayat Center and RASED, 2016; "Al-Lijan al-Daima – al-Dawra al-'Aadiah al-Ula" (The Standing Committees – The First Ordinary Session), Jordanian House of Representatives, <https://bit.ly/2xQ3n3f>
"Al-Lijan al-Daima – al-Dawra al-'Aadiah al-Thaniah" (The Standing Committees – The Second Ordinary Session), Jordanian House of Representatives, <https://bit.ly/2uriY8q>

Rased: “As women in Parliament, we are capable of change. Yet, we face a lot of pressure from our male MP colleagues, the press, and the local community – as if women’s mistakes carry more weight than those of male MPs.” MP Wafa’ Bani Mustafa explained that “they present women who participate in political life, holding leadership positions, as being non-human... considering them careless and guilty towards their immediate and extended families.” As a USAID Jordan case study on women’s leadership surmised, “There are, and will always be, exceptional women in Jordan who run for political office, strive to head major corporations or lead powerful ministries, but until and unless the majority of men, boys, women and girls see females as capable of being leaders, those women will always be the exception⁽⁷⁾.”

(7) Stina Larserud and Rita Taphorn, “Designing for Equality: Best-fit, medium-fit and non-favourable combinations of electoral systems and gender quotas,” International Institute for Democracy and Electoral Assistance (2007); World Values Survey Wave 6: 2010-2014, “On the whole, men make better political leaders than women do”; Huseyin Emre Ceyhun, “Jordan Five Years After the Uprising,” Jordan Wave 4 Country Report, Arab Barometer (2017); Kai Spratt, Dima Toukan, Summer Lopez and Namar Kayed, “Women’s Leadership as a Route to Greater Empowerment,” Jordan Case Study, USAID (2014).

Why is improving the gender quota important?

The Jordanian Parliament is the main seat of elected political power in Jordan. As implied by the first three decades of women's representation in Jordan's Parliament, fully equitable representation of women in this body would systematically enhance legislative and policy consideration of women's needs, as well as furthering the Jordanian government's reform process. Internationally, female parliamentarian's role in development is well-documented. A recent cross-country analysis published in the *Journal of Economic Behavior and Organization* shows that countries with a greater level of female representation in Parliament display lower levels of corruption. Meanwhile, international surveying by the Inter-Parliamentary Union has indicated that while female parliamentarians support a diversity of policy positions, they enhance emphasis on social issues, physical rights and safety, and development, including human development, poverty alleviation, and service delivery⁽⁸⁾. As MP Wafa' Bani Mustafa observes, "having women in decision-making positions is in the nation's and society's interest, more than simply being in women's interests."

However, current Jordanian policy does not sufficiently address women's needs. Despite a positive trend for women's health and education, women face a great deal of socioeconomic inequality in Jordan. Men dominate the leadership of most sectors of Jordanian life, whether economic, political, public, or private. In 2018, Jordan was ranked 138 out of 149 countries by the Global Gender Gap Index. Jordan has one of the lowest female labor force participation rates in the world, and it has been worsening since 2006. Only 2% of Jordanian firms have women as top managers, and the per capita income of women is \$3,587, compared to \$18,831 for men.

(8) Chandan Kumar Jha and Sudipta Sarangi, "Women and corruption: What positions must they hold to make a difference?" *Journal of Economic Behavior & Organization* 151 (2018); "Equality in Politics: A Survey of Women and Men in Parliaments," Inter-Parliamentary Union (2008).

Meanwhile, 79% of Jordanian women between the ages of 18 and 64 have experienced domestic violence⁽⁹⁾.

Although restricted to a small minority in Jordanian Parliament, female parliamentarians have shown the capacity to push reform and support women's empowerment policy-making priorities. In Hayat-Rased interviews with 17 current female parliamentarians, most referenced women's rights related priorities. Many cited the abolition of Article 308 as their greatest parliamentary success, an article allowing perpetrators of sexual assault to avoid punishment by marrying their victims. As MP Intisar Hijazi of Irbid put it, "Article 308 was the most important way in which the Jordanian women as MPs were able to overcome an obstacle and defend women's rights in Parliament." Beyond legislation, female parliamentarians have changed gender norms surrounding women's leadership. For example, MP Wafa' Bani Mustafa recently became the first woman to head a parliamentary bloc, as President of Mubadara. Given these indicators, an increase in the number of Jordanian female parliamentarians has the potential to transform the equity of Jordan's legislation and political institutions.

Furthermore, as MP Dima Tahboub of Amman emphasized, female parliamentarians produce tangible impact beyond the policy world: "Our role as women is not limited to being parliamentarians. We were community activists before we became MPs...We are mothers, wives, public servants, and members of political parties, every job we do contributes to us, as we contribute to it." Increasing women's access to political decision-making would build a cohort of strong female role-models and policymakers, providing necessary support for raising Jordanian women's socioeconomic position. In former MP Rula al-Hroob's words, "You need courageous women. You need women who can stand for what they believe in...Jordanians are looking for heroes."

(9) Drude Dahlerup, "Gender Balance in Politics: Goals and Strategies in a Global Perspective," in *The Arab Quota Report: Selected Case Studies*, International Institute for Democracy and Electoral Assistance, 2007; Faraj Radwan, Suha Abed Alaal, Mohammad Kloub, and Raed Wishah, "Jordanian Women in Leadership Positions in the Public Sector: Cultural Barriers to Their Success," *International Business Management* 11:4 (2017); Selim Jahan, "Human Development Report 2016" UNDP (2016); "Socio-economic Inequality in Jordan," UNDP (2015); "Jordan's Way to Sustainable Development: First National Voluntary Review on the Implementation of the 2030 Agenda," The Hashemite Kingdom of Jordan (2015); "The Global Gender Gap Report 2018," World Economic Forum (2018); "Jordan Scorecard on Gender Based Violence," UNFPA (2017).

What should policymakers do?

Although the gender quota has improved women's representation in Parliament, it has yet to achieve full equity. In order to accomplish this goal, legislators in Jordan should consider the following policy recommendations:

1. Amend the structure of the gender quota in Jordan's Law on Election of the House of Representatives.

- **Introduce a closed-list triple-zipper system**

As opposed to the current open-list system, a closed-list system would mean that based on a tabulation of votes, candidates would be granted seats in order of their position in their electoral list. By including a triple-zipper system, each closed-list would be required to alternate candidates by gender, with half of the lists topped by each gender. Without necessitating a gender quota, this system would ensure equitable representation of women in electoral lists and Parliament, more accurately reflect Jordan's population distribution, and limit negative impact on public perception of female leadership capacity. Versions of the zipper system have been legislated in Bolivia, Costa Rica, Ecuador, France, Kenya, the Republic of Korea, Lesotho, Libya, Nicaragua, Senegal, Tunisia, and Zimbabwe.

- **If the open-list system remains, increase the gender quota**

If the open list-system is not replaced, then the gender quota should be raised to at least 23 seats (17.7%), with at least one seat per electoral district. This would increase the number of women elected, and more accurately reflect Jordan's population distribution within the governorates. In 2016, a campaign by the Jordanian National Committee for Women's Affairs received 8,500 signatures by prominent women in support of this option.

2. Support female candidates and parliamentarians

- **Provide public funding to parties that display gender equity**

Substantial increase in access to public funding would incentivize parties to voluntarily include

women in electoral lists and party leadership. This is an increasingly common international practice, currently applied in around 30 countries. Barring the introduction of a new quota requiring gender parity, parties should receive additional government funding for fielding electoral lists that display gender equity. Similarly, parties with women constituting more than one-third of party leadership should receive additional government funding. Overall, a portion of government funding to parties should be earmarked for activities related to gender equality.

- **Provide support to female candidates, particularly among marginalized groups**

Capacity-building, funding, and legal support for female candidates, particularly Christians, Circassians, and Chechens, as well as other marginalized groups, would improve the equity of gender and ethnic representation among candidates and MPs. Capacity-building should include training on the legal framework of the electoral procedures, campaign management, and public relations. Training of female candidates in Jordan has effectively assisted many women with their election campaigns. To illustrate, in 2010, 12 of the 13 women elected to Parliament had participated in a female candidate training program conducted by the National Democratic Institute.

- **Provide support to female parliamentarians**

Capacity-building for female parliamentarians would assist women in serving as effective policy-makers. Capacity-building should include the legal framework for parliamentary responsibilities, methods of identifying constituents' needs, and public relations. Enhancing the performance of female parliamentarians would improve public perception of female leadership capacity and thereby increase the number of women elected.

3. Build popular backing for female parliamentarians

- **Provide public education on women's capacity as politicians**

Public education on women's capacity as politicians would help build public support for female candidates for Parliament. Women's successes in Parliament should be publicized

through social and traditional media. Meanwhile, the inclusion of gender equality education into Jordan's school curriculum, coupled with an increased number of trainings and events throughout Jordan's Governorates for youth, adults, activists, and leaders of all genders, would raise awareness of women's leadership in Parliament and build dialogue on changing gender norms.



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