Reversing the Gender Bias against Jordanian Women Married to Foreigners







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1 Introduction

With the sponsorship of the European Instrument for Democracy and Human Rights (EIDHR), the Information and Research Center (IRC) carried out a project entitled: "Reversing the Gender Bias against Jordanian Women Married to Foreigners". As a part of the project, this study was conducted to assess the current situation of Jordanian Women Married to Non Jordanians (JWMNJ) and to measure the impact of Jordan's policy of denying automatic residency permits and access to basic civil rights of the foreign husbands of Jordanian women and their children.

The project advocates for the creation of a category in Jordanian law that would provide these families with long term (leading to permanent) residency permits and the access to social welfare benefits, as well as the right to employment, property and conducting business. The overall objective of this project is to reverse the gender bias against Jordanian women married to foreign men in practical terms while acknowledging the government's claim of the impossibility of granting nationality—and therefore political rights – to this category of the population. The main objectives of this project are:

- Effect changes in policy culminating in new legislation or amendments to existing legislation to grant permanent residency as well as civil rights to the foreign families of Jordanian women
- Change the mindset of Jordanians to encourage an understanding of the human rights of these families and gender equality.
- Raise awareness of the scale as well as the economic and social consequences of the problem
- Highlight the differential outcomes of Jordanian families with a foreign father as opposed to a foreign mother
- Highlight the social and economic exclusion that families with a Jordanian mother and foreign father experience
- Highlight the impact of residency denial on the children of these marriages, particularly for their sense of identity and belonging
- Facilitate the creation of a network of social support for the Jordanian women with foreign families
- Establish and help sustain a community-based advocacy process to inform policymakers



These objectives, while difficult to attain through the activities of one project or as the result of a single study, are nevertheless more feasible as a result of the heightened focus on this issue. This project's activities and the networks that it created between policy makers, practitioners and stakeholders have identified the challenges to this sector of the population at its different levels.

This project involved several activities including this comprehensive socio-economic study into the impact of residency denial, interactive theatre, a plenary conference, a website, a workshop between stakeholders and policymakers, national level support group sessions, and a newsletter – all aimed at raising awareness of this gender bias and to gain public support and understanding of the human and socio-economic cost of the denial of these civil rights.

As part of this holistic approach, this study presents the main findings of a cost benefit analysis, a socioeconomic impact evaluation and a child participatory research project that investigated this gender bias against these families and how it affected their sense of belonging to Jordan and their identity in general.

1.1 Problem definition

This study focuses on Jordanian Women Married to Non-Jordanians (JWMNJ). They present a special case in Jordanian society as they face multiple forms of exclusion and discrimination. A Jordanian woman cannot pass her nationality or facilitate the long term residency of her non-Jordanian husband, with a few exceptions. She cannot pass on her nationality to her children nor grant them residency permits. Nationality can only be inherited through a paternal relationship. Thus children who have a non-Jordanian father cannot inherit the nationality of their mothers or their country of long-term residence. The justification for this discrimination has routinely been lodged on political grounds with claims that giving women the right to pass on their nationality to their husbands and children will lead to an internal political crisis because of its potential to change the demographic composition of Jordan. Since most marriages to non-Jordanian men are to Palestinians, this is of particular political significance. Political campaigns against granting the nationality to these families have been based on the claim that granting nationality to this Palestinian population will undermine their right to return to their homeland in Palestine. The resistance to legislative change is not only based on political grounds, but also on possible



misconceptions of the economic costs of providing residency to the family of JWMNJ. Ultimately, the root of these problems is the gender bias in Jordanian legislation.

In 2011, the number of JWMNJ was estimated to be 69,167 families ¹. The number was announced by the Ministry to highlight the enormity of granting nationality to nearly a quarter of a million foreigners (families are estimated to have 3.7 children). This number has not been independently verified and all attempts to corroborate this number with official statistics were met with resistance from the Department of Statistics – which denied having exact numbers – or the Ministry of Interior, which has yet to release an official account of the this sector of the population.

1.2 Research Questions

The IRC carried out this study to expose the challenges facing Jordanian women and their non-Jordanian husbands and children. The study will present a cost-benefit analysis of the potential granting of residency and civil rights to this group in order to provide policymakers with an accurate picture of the impact of addressing this inequality from an economic perspective. Separately, the study also highlights the impact of denial on children of these marriages specifically with reference to their sense of identity and belonging. Consequently, this study tries to answer the following main research question: What is the current situation of Jordanian women married to non-Jordanians, and how does social exclusion affect them and their families economically, socially and with regards to their long-term allegiance to the country?

1.3 Outline of the Study

The IRC established a theoretical framework that was used to guide the research and to analyze the research findings. This framework is presented in the subsequent chapter, providing an explanation of the concepts of citizenship, social exclusion and identity construction. Chapter 3 will present the different research methods that the IRC used in this study. The research findings are presented in chapter 4, 5 and 6 and will each deal with a different component of the study.

¹ Ministry of Interior



2 Theoretical Framework

This chapter provides a literature review of the concepts of citizenship, social exclusion and identity construction.

Social exclusion is the guiding theoretical principle by which the first part of the research conceptualizes Jordanian women's disenfranchisement, including poverty and lack of human rights. In order to understand social exclusion and construct an understanding of the issues that JWMNJ are dealing with it is essential to look at the concept of citizenship first. Citizenship will be explained in the next section as related to gender and how the state participates in gender inequality through models of citizenship. Finally, the last section will create a framework for identity construction that will allow for an analysis on the children of JWMNJ.

2.1 Gender and citizenship

The modern conception of citizenship developed with the formation of nation states in the 19th century. Earlier notions of citizenship centered on a legal or philosophical identity. In recent decades, development studies have expanded the idea of citizenship to a policy goal with practical implications.²

Citizenship, in its abstract and legal realizations, is an important way to link rights to individuals in society. Two dominant models of citizenship, republican and liberal, express this relation as a series of rights and obligations between the citizen and society. In the republican view, the key to citizenship is self-rule: citizens, through mechanisms such as electoral participation determine the rule of government in their society.³ By contrast the liberal view holds citizenship to be a legal identity that entails rights and duties but does not necessitate participation in government.⁴ These definitions offer views of the citizen as a primarily political or legal actor. Both positions have come to incorporate a notion of universality; citizens can come from any race, class, or gender. Nonetheless, key to both positions is that citizenship occurs in the public sphere, distinct from private life. This distinction has come under particular criticism from the feminist position⁵. Equality, either through politics or the law, is supposed to take place in the public sphere so the unequal positions of women in the private sphere through the family are ignored⁶. How can republicans be models of equal self-rule when their private lives are pervaded by inequality? How can liberals pursue equality in the public sphere when they have no responsibility to do so in private? On principle, the legal implementation of equality for female citizens has been subverted by this distinction. 7

² cf. Mukhopadhyay, 2007:264

Leydet, Dominique, "Citizenship", The Stanford Encyclopedia of Philosophy (Fall 2011 Edition), Edward N. Zalta (ed.), URL = http://plato.stanford.edu/archives/fall2011/entries/citizenship/.

⁵ cf. Okin 1998. Okin 1992. MacKinnon 1989

Okin 1992, 60 & 64-65.

⁷ Joseph, 2002:2.



This insufficient interpretation of citizenship has led to these inequalities persisting in legal codes. Moreover, customary and religious law in much of Africa, South Asia, the Middle East and North Africa contradict these models of citizenship.⁸ The legal introduction of male kin intermediaries between a female citizen and the state suggests an additional relationship to that of citizen and state.⁹ In Algeria, Egypt, Libya, Tunisia, Morocco, Syria, and the UAE, women married to foreign men can pass on citizenship and its rights to their children. In Yemen, the children are only granted citizenship in the case of their foreign father dying or abandoning his family. In Saudi Arabia, Kuwait, Bahrain, and Qatar give their children access to social welfare but not citizenship. Jordan and Lebanon do not grant access to social welfare or citizenship to the children of these families¹⁰.

Of particular importance to this study is the right to pass citizenship to foreign spouses and children. In most Arab states, male citizens married to foreigners have the right to pass citizenship while female citizens do not. This disenfranchises the families of these women and rejects matrilineality as a legally valid relationship between potential citizens.¹¹ The disparities in rights for male and female citizens reveal that citizenship as practiced in Arab legal codes is an unequal enterprise.

There are two relevant aspects of citizenship that have been addressed here. As a philosophical idea that influences the principles of law, citizenship has serious deficiencies in ensuring equality for women. Its emphasis on the public sphere ignores the inequalities of the family in private life. In terms of the policy implications of law, there are serious discriminations against women in their ability to gain citizenship as a legal status and to claim the rights entitled legally to citizens. The legal rejection of matrilineality as a means of inheriting citizenship means that these discriminations are passed to their families as well. Citizenship is unsatisfactory in theory and in practice for women. As the central legal and political identity for individuals in contemporary society, its shortcomings are at the root of inequality. Its broader use in the development literature makes it an important goal for policy and a focal point for legal activism.

⁸ ibid

⁹ El-Kholi, 2002:2

Personal communication with Nour al-Eman, lawyer at Arab Law. Interviewed 11 July 2012.

¹¹ Joseph 2002:6

² ibid



2.2 Social Exclusion

Social exclusion is the exclusion from common resources that others in society have. 13 Multiple definitions exist in the literature. If poverty refers to a lack of material resources, social exclusion is a much broader way of understanding how being poor disadvantages an individual. If poverty refers to a lack of capabilities, then it covers the same domain but emphasizes the relational aspects of this exclusion: who is excluded and who is excluding.¹⁴

This enables discriminations based on social identities such as gender or race to be analyzed using social exclusion.

Sen (2000) makes two further sets of distinctions in identifying a specific source of social exclusion. A social exclusion can be constitutive or instrumental. A constitutive social exclusion is one where the social relation directly constitutes a deprivation for the poor. For example, a family made hungry by the giving food during a celebration is suffering from a constitutive social exclusion: the social relation of the celebration entails their deprivation of sufficient food. 15 An instrumental social exclusion plays a role in generating another, indirect deprivation. For example, the social ostracism of a minority group resulting in unemployment may lead to hunger, through lack of income. 16 Both of these categories establish the causal roots of deprivations in the relations of society. Social exclusions can either be active or passive. Active social exclusions involve the intentional exclusion of a sector of society, such as restrictions on voting for immigrants in some countries. Passive social exclusions are the unintentional results of policies or events, such as how a slow economy can exclude certain groups of people from the workforce.¹⁷ These sets of distinctions stress the importance of identifying the causal mechanisms and the actors involved in the relation of social exclusion.

The framework of Burchardt, Le Grand and Piachaud (2002) for explaining social exclusion stresses the economic, social and political aspects, while taking into account that individual, family, community, local, national and global factors have an influence on social exclusion. 18 Moreover, they emphasize the importance of both past and present influences: the past leads to people acquiring different kinds and amounts of capital, which in turn shapes the opportunities open to them. Present influences are divided into external influences, which are constraints facing an individual or community, and internal influences, which involve choices made by individuals or communities.

¹³ Sen 2000: 44

ibid, 44-45

¹⁵ ibid, 10.

¹⁶ Ibid, 11



Such choices are influenced by personal preference, but made in the context of available human, physical and financial capital as well as individual, family, community, national and global circumstances.

The working definition of social exclusion adopted by the IRC is the following: "An individual is socially excluded if he or she does not participate in key activities of the society in which he or she lives"¹⁹. Four dimensions of participation are defined:

- Consumption: the capacity to purchase goods and services
- Production: participation in economically or socially valuable activities
- Political engagement: involvement in local or national decision-making
- Social interaction: integration with family, friends, and community

2.3 Social Exclusion in the Arab Region

Women in the Arab region face social exclusion due to the importance placed on the family and the association of the family with a patriarchal head. This entails exclusion through cultural and legal relations, where the patriarchal family retains primacy over citizens. Doseph writes on this transformation from Arab woman's social exclusion to her legal exclusion:

"by ignoring issues of gender-based violence or by granting lenient punishments to perpetrators of violence against women, the state actually reinforces women's exclusion from the rights of citizens.

[...] It is the family that is the basis of Arab states. This means that the state is primarily concerned with protection of the family over the protection of the family's members. Within this framework, the rights of women are expressed solely in their roles as wives and mothers. State discrimination against women in the family is expressed through unjust family laws that deny women equal access to divorce and child custody." ²¹

An internal study by the IRC reveals that patriarchy (i.e. gender inequality favoring male power) is embodied in both the law and social practice:

Joseph 2002: 6

¹⁹ Sen 2000: 30.

Joseph writes that family laws are written with a specific history in mind to "use family terminology to justify their leadership, reinforcing the family as a political unit of society and making membership in families politically strategic for citizens" (2002:19).



"Most constitutions in Arab countries clearly and unequivocally stress equality between men and women, though in different terminology and varying texts in accordance with their different policies and views of Islamic Sharia and civil laws. Most Arab countries expressed reservations over international charters that called for gender equality in granting citizenship rights to the children of women married to foreign men." ²²

Article 6 of the Jordanian Constitution states; "Jordanians shall be equal before the law. There shall be no discrimination between them as regards to their rights and duties on grounds of race, language or religion." On the other hand, the constitutions of Syria, Egypt and Morocco explicitly use the word "gender" stating equality between men and women under the rule of law. Lebanon and Tunisia stress anti-discrimination among all their citizens as well but do not specify the term "gender." The constitutions of Yemen and Kuwait spell out similar male-centered citizenship inheritance frameworks as Jordan. Women activists have explained the absence of the gender reference in article six to signify equality between all citizens using an interpretation of "citizen" referring to both sexes. However in 2011, the constitutional committee redrafted the constitution and apparently rejected any reference to the gender of the citizen as a basis of equality between sexes in article 6 of the constitution in order not to allow legal demands for parity with regards to the nationality of the children of Jordanian women married to non-Jordanians.

Minimal progress in recent years suggests a bleak prospect for legislative reform. In Egypt women have been granted the right to initiate divorce without the consent of their husbands but only if she gives up certain "financial rights." In Jordan all family contact with the government must be recorded in the family book (daftar) - such as voting, registering children for school or university, and receiving social services. Once married a Jordanian woman is transferred from her family daftar to her husband's. Current legislation has only allowed divorced or widowed women to procure their own family books that register their children. Jordanian women still married to non-Jordanians cannot register either their husbands or their children in their family books.

In another study on gender inequality, the Centre for Research and training on Development (CRTD) MAC/MAG Gender Linking and Information Project (GLIP), states:

^{22 &}quot;Gender and Development Discourse" (internal summary)

²³ Moghadam (2007:36).



"Across the Middle East and North Africa, married women are denied their right to nationality if their husbands are non-nationals. In these cases the women cannot pass their citizenship to their husbands or their children while a man married to a non-national can. As such, all signatory Arab states have expressed reservations on this provision of the CEDAW Convention." ²⁴

In Lebanon, Egypt, Yemen, Syria, Morocco and Jordan Abou-Habib (2003) found that,

"[T]here is a clear contradiction between the Constitution and the law, regarding the equality of women with men and their right to pass it on to their husbands or children. All the Constitutions contain a commitment to gender equity; yet the nationality laws contradict this. [...] The justification for this discrimination varies between countries. Most countries argue the point on political grounds, considering that giving women the right to pass on their nationality to their right to pass on their nationality to their husbands and children will threaten the civil peace, and lead to internal political crisis." ²⁵

When the husband is a foreigner and the wife is a national then the entire family is treated as foreign. Most egregious is the condition of their children who are "considered foreigners, despite the fact that they have lived in their mother's native country all their lives" Eurthermore, most women are unaware of the discriminatory law in the first place:

"The refusal by the Registry Office to register the children is generally the harsh first contact with reality. All women we spoke to had experienced this refusal as a psychological shock, and they felt indignant. Mothers talked of the traumatic experience of going to register their first child, and not being allowed to. Generally, the only way to register their children was to register them with the embassy or consulate of the husband's country." ²⁷

This is problematic for an Arab body of laws that sees the family as the central institution. Children are seriously affected: limited visas to travel and return to their mothers' country, inability to work, restrictions to owning property, no access to state

^{24 &}quot;Throughout the Mashreq and Maghreb the Gender Linking and Information Project is among many grassroots organizations from around the Arab world who have aimed to pressure Arab state signatories of the CEDAW (as well as non-signatories) to fulfill their promise of granting women the right to full citizenship and be held responsible for such a task. It has recognized that the right to nationality is not only a women's right but also a human right based on the right to equal citizenship regardless of age, race or gender stipulated in the Declaration of Human Rights." (Abou-Habib 2003)



aid, and limited access to education.²⁸ They also experience psychological and emotional turmoil:

"The overwhelming message was that children of a foreign father feel that they miss out on benefits that other children have. They resent being different, and they are generally very sensitive to prejudices and negative judgments. One mother states, 'My son has hung a Moroccan flag in his bedroom. It's his way of claiming his nationality." ²⁹

Due to these pressures, many marriages end and their families are broken up. Most women express regret at ever having married a foreigner and advise other Arab women never to do the same.³⁰

The cultural and legal focus on a patriarchal family in the Arab states leads to the exclusion of women from the rights enjoyed by male citizens. In particular, Arab states exclude women from the rights of citizens when marrying non-nationals. The disadvantages incurred by this inequality are then extended to the children of these marriages.

2.4 Social Exclusion in Jordan

The Jordanian legal framework for citizenship and national rights is encompassed in the Personal Status Code, the Passport Law and the family law. Jordan signed the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on December 3, 1980. Therefore the Jordanian constitution should abide by the international agreement "to ensure the full development and advancement of women, for the purpose of guaranteeing them to the exercise and enjoyment of human rights and fundamental freedoms on the basis of equality with men". ³¹

A study coordinated by the Karama Network of Jordan entitled "A Shadow NGO Report to CEDAW Committee Jordan" outlines the following shortcomings in Jordanian law failing to comply with the CEDAW agreement:

■ "Inadequate protection mechanisms for women victims of violence" (Articles 2, 6)

²⁸ For more detailed examples of gendered social exclusion see Lina Abou-Habib's "Gender, citizenship and nationality in the Arab region" (2003).

Abou-Habib 2003: 73

³⁰ ibid. pp. 69-70

[&]quot;CEDAW and Arab reservations" (internal summary).



- "CEDAW has yet to become legally binding in Jordan, nor has the government lifted its reservations, particularly on the Nationality Law " (Articles 2, 3, 9, 15, and 16)
- "No Law has been approved for criminalizing discrimination and violence toward women and girls" (Articles 2, 3)
- "Parliament rejected several decrees and legislation proposals that would have provided greater equality between men and women" (Articles 2, 3, 15)
- "Jordan lacks a constitutional Court to contest discriminatory laws as unconstitutional" (Articles 2, 15)
- "Family-based violence against women in the name of "honor" is a serious problem in Jordan, and women victims of sexual violence face numerous gender-specific legal and social obstacles" (Articles 2, 3, 5, 6, 15)
- "Illiteracy among women is up to 16%, while among men it is just 5.7%" (Article 10)
- 58 % of Jordanian women who do not use contraceptives attribute this decision to their husband's opposition. Only 18 % of married women using contraceptives stated that the decision was made without their husbands' interference. A husband's approval is needed for tubal ligation (Article 5, 12).
- "No Law criminalizes domestic violence (Articles 2, 3, 5, 6, 16).
- "No gender-disaggregated data gathering has been initiated (Articles 3, 4, 5, 10, 11, 12, 13,14, 15, 16).
- "Social customs continue to confine family property to the men of the family, exerting pressure on women to waive portions of inheritance, especially property, in favour of their brothers (Articles 5, 11, 13).
- "The basis for a family centered framework in Jordan is Islamic Shari'a and customary law." ³²

These obvious failures to comply with a signed international agreement outline a larger problem of social exclusion, namely the underprivileged status of women in Jordanian society. Women's rights are imagined as inferior to the decision-making power of the man. Studies on violence reveal that this idea can be justified, internalized and passed on by Jordanian women as well.³³

^{32 &}quot;Shadow NGO report"

Mohannad Al-Nsour & Marwan Khawaja & Ghadah Al-Kayyali "Domestic Violence against Women in Jordan" The Journal of Family Violence (2009).



The Passport Law is one of the most noteworthy but least examined features of Jordanian legal misogyny: "Law 5 of 2003 amended the Passport Law enabling women to obtain a passport without permission. However, a man may place a "hold" with Jordanian Immigration Officials on his wife and/or child to prevent them from leaving the country. Article 166 of the Personal Status Code states that the custodian may not travel abroad with the child without the agreement of the guardian."³⁴ This is particularly damaging to the wellbeing of the child. Under the Convention of the Rights of the Child, of which Jordan is a signatory, the Passport Law could potentially violate Articles 3, 9, and 10 which are the rights to maintain the best interests of the child, the right to leave unfit parents, and the right to unify with family abroad; respectively. 35

On the family law Joseph Massad writes, in Colonial Effects: the Making of National Identity in Jordan, that

"[While] the marriage contract ipso facto confers on the husband numerous rights (and duties), women's rights will have to be spelled out in marriage contract as terms and conditions that the husband would agree to - a woman's right to stipulate that her husband shall not compel her to leave the town or city where the marriage contract was signed, that she has the right to divorce herself from him, and that she not take another wife beside her, all three rights are not automatically conferred on a wife upon marriage. If anything, signing a marriage contract without these stipulations suspends a woman's constitutional right of voluntary residency in the town or city where she had signed the contract and waives her right to end a marriage whose conclusion in the first place was carried out with her approval and agreement. In short, signing a marriage contract without these listed protective clauses, a woman ceases to be a full citizen and is ushered into a different realm of juridical existence." 36

In sum, a Jordanian woman's 'second class citizenship,' is engendered through the social and legal institutions of marriage. Therefore we can think of marriage as the locus of gender inequality in Jordan, because this is where a woman is made inferior by the privileged citizenship of a man. ³⁷

^{34 &}quot;Jordanian Law" (internal summary)

^{35 &}quot;FACT SHEET: Rights of the Child" (UNICEF)

³⁶ Massad 2000: 83 37 Amawi 2001: 182



2.5 **Identity Construction**

As the last part of the study focuses on the impact social exclusion and discrimination on the children of JWMNJ, this section will elaborate on the concept of identity. A determinant of identity is the culture in which the person is rooted. Since individuals can persist in multiple cultures, these cultures can influence multiple identities. Constructing an identity also creates it in relief to other identities. Expressions of an identity are valuable in comparison to others, making it a relative construct. Individuals themselves are active agents in the construction of identities. Verkuyten uses the term social identity to explain the relationship between the individual and the social environment. 38 The key issue in social identity is what individuals share with others, rather than the distinctions within an individual.³⁹ Specific social identities, such as gender, race and ethnicity, can predominate to such an extent that they are relevant in almost all situations. In general, processes of social identity are highly context-dependent.⁴⁰

Research on construction of identity becomes more prevalent when identity is endangered. Anthropologists are often interested in questions surrounding identity and migration. Boundaries of belonging to a certain group become blurred. Migrants consequently have trouble constructing an identity. This can be seen as problematic when presuming that the need for an identity is derived from the desire for security.⁴¹ People who migrate and do not have the feeling of belonging to a certain group may feel lost and experience feelings of insecurity. Moreover, Larrain notes that identity is also derived from the evaluations of others.⁴² Poor migrants who are trying to improve their economic situation can therefore develop more problems when it comes to constructing an identity than high-income expatriates. Identity is also an influential factor in stratification.⁴³ Some groups such as poor migrants cannot decide for themselves with which particular group they want to identify. In this case, people receive identities that they themselves resent, which are known as stereotyping, humiliating, dehumanizing or stigmatizing identities.⁴⁴ Identity construction thus comes from self-identification and the perceptions of others.

Identity construction is particularly difficult when it occurs in zones of conflict. Migration is a situation in which identity is not bounded to a certain location or country. For the purpose of the child participatory research component, the IRC has taken up a perspective on identity that takes into account the role of the individual in

³⁸ Verkuyten 2005: 42

³⁹ ibid

⁴⁰ ibid

⁴¹ Bauman 2004: 29

Larrain 2003: 26

ibid: 38

⁴⁴ ibid: 38



constructing its own identity as well as the dynamics of group associations.

2.6 Conclusions

In privileging masculine citizenship the Arab state renders females as inferior citizens. The legal disadvantage of the JWMNJ is compounded with discriminatory laws against women. Citizenship, in its legal realization In Jordan, is insufficient for women in both what rights it entails and to whom it is available as a legal status. The IRC has identified many areas of the law which can be reformed: specifically in the Personal Status Code (marriage laws, family laws, etc.) and the Passport Law, which hinder economic autonomy and free travel.

The concept of social exclusion helps to identify the relational features of discrimination against women in Jordan. There are both legal and cultural exclusions that Jordanian women suffer. Social exclusion asks who are the actors involved in an exclusion and what are the causal mechanisms of that exclusion.

Finally, concepts of identity construction describe how individuals can construct multiple identities, but these identities are often influenced by external stigmas and results in negatively enforced identities. This is a particular problem for migrant populations who face discrimination and stereotyping. The second part of this research will show how this affects the children of JWMNJ in particular, and illustrates the struggle in identification and an effort to create a sense of home and belonging.



3 Research Methodology

This section presents an overview of the methodology as applied by the IRC during the research. It includes the research design, a sample of the research population, ethical considerations, and methods used for the data analysis, collection, and validation.

3.1 Research Design

This research study for the Residency Denial project exists out of three main components: a cost benefit analysis, a social impact assessment and a child-participatory research. These components will be explained in detail in the section on data analysis.

The three different components together make this study a combination of both qualitative and quantitative research. Quantitative data was collected as part of the cost benefit analysis, through calculating the costs and benefits of granting families of JWMNJ civil rights. The social impact assessment also used quantitative data through a survey. Qualitative data was gathered through focus groups and interviews as part of the social impact assessment and through creative methods used in the child participatory research.

3.2 Sample of Research Population

For the social impact assessment the IRC conducted focus groups in Zarqa, Aqaba and Sahab. Secondly, a quantitative survey was conducted among 230 Jordanian men married to foreigners and 210 Jordanian women married to foreigners from Zarqa, Aqaba, Sahab, Madaba and Balqa.

Participants for the child participatory research were selected through the Family Guidance and Awareness Center in Zarqa. Three-day workshops were held in Amman, Madaba and Zarqa in which a total of 13 girls participated and 10 boys. The nationality composition was diverse with participants from Syria, Sudan, Pakistan, Palestine, Turkey, Morocco and Egypt. The participants' age ranged between 15 and 18 years.

3.3 Data Collection

The IRC implemented a variety of research methods to carefully assess the situation of JWMNJ and their families. In this section the three different elements of the study will be discussed along with their specific methods for data collection.



3.3.1 Cost Benefit Analysis

The primary purpose of the Cost-Benefit Analysis (CBA) is to demonstrate the economic costs and benefits from granting residency and civic rights to children and spouses of Jordanian women married to non-Jordanians (JWMNJ). The analysis utilizes both secondary and primary data. Secondary data is sourced from national statistics such as those published by the Department of Statistics (DoS), Central Bank of Jordan (CBJ), relevant ministries, and published studies. The primary data is based in its entirety on the questionnaire, Economic and Social Justice for Jordanian Women Married to Non-Jordanians conducted by the IRC. The costs that are associated with an action were calculated and then compared to the benefits that may arise from it. In this context, the focus is on the economic costs to the economy that are associated with granting residency to spouses and children of JWMNJ and the economic benefits that arise from such action.

3.3.2 Social impact assessment

This assessment consists of two different elements. First of all, focus groups and interviews were conducted with families. This qualitative information was used to see who these families are, what benefits they can access and what challenges they are facing. Secondly, a quantitative survey was conducted among 230 Jordanian men married to foreigners and 210 Jordanian women married to foreigners. The aim behind this was to comparatively assess the situation of these two groups and determine whether families headed by Jordanian males with foreign wives fared better than families headed by foreign men married to Jordanian women. The questionnaire specifically compared the two sets of families to see examine disparities in their financial livelihoods based on access to state benefits and employment. These challenges were interpreted as different forms of social exclusion.

3.3.3. Child Participatory Research

The third component of the study was implemented to gather information on the impact of the legal status of JWMNJ on their children. For this specific purpose the IRC used creative methods with the aim of capturing the children's experiences genuinely, without the influence of their parents. The IRC has embraced this innovative technique because research actively involving children can provide insights otherwise unattainable, while at the same time providing the children with agency. As part of this method, three day workshops were held in Amman, Madaba and Zarqa.

See Annex I and II for the protocol used by the IRC for focus groups and interviews.



The creative methodology that was developed utilized the following methods: structured mind maps, interviews, writing exercises and focus groups discussions. The process was cumulative: it started with focus group discussion to lay out the issues and opinions, moving on to an exercise (mind maps/ writing/interviews), and back to discussion in order to reflect on the exercise and validate the results with the children in order to engender participation.

Structured mind maps focused solely on the concept of identity and included four categories of groups and communities that people associate with: family, country, language and religion. The children were given structured mind maps, which they were asked to fill out. The central word was 'My Identity' with five themes branching out: Country, Belonging, Religion, Language and family. For each of these components, the children were asked to draw a picture or write a word that resembles what the theme means to them, and afterwards to write five words (names, verbs or adjectives) that describe what they identified earlier. A fifth category on their sense of 'belonging' was intended to provide an open-ended category for the children to choose their own priority within the context of belonging. The findings of the mind maps were revealing, as they enabled the research team to view the issues through the lens of the children and understand how they perceive their own identities.

Secondly, the interviews exercise was meant to shed light on the issues that the children thought were worth investigating. The children were asked to consider and develop their own set of questions on the subject which they used to conduct peer-to-peer interviews within their groups. A workshop to analyze and validate the results by the children ensued.

Third, writing exercises were used to give the children the space to express their thoughts and feelings on paper. Different forms of expression were submitted including poems, stories and a letter addressing the King to describe the hardships the children feel that they go through. Writing exercises proved valuable, as they generated rich data that was used in the analysis.

 $^{^{\}rm 46}$ Examples of mind maps can be found in the annexes.



Finally, the focus group discussions allowed the children the space to elaborate on their feelings and thoughts, producing an insight into common attitudes and concerns, some of which related to access to education, health, cost of living, status and society.

The table below shows the demographic data of the child participated:

Group	Date	Location	Participants	Nationalities
Zarqa	21-23 May 2011	Information and Research Center	8 (6 girls, 2 boys)	1 Female – Syria 4 Females – Sudan 1 Female – Pakistan 1 Male – Palestine 1 Male – Egypt
Group	Date	Location	Participants	Nationalities
Madaba	26-27 July 2011	Sharaka Center - Madaba	8 (5 girls, 3 boys)	1 Female — Syria 4 Females — Egypt 2 Males — Egypt 1 Male — Turkey
Group	Date	Location	Participants	Nationalities
Amman	3-4 August 2011	Information and Research Center	7 (2 girls, 5 boys)	1 Female – Syria 1 Female – Morocco 2 Males – Egypt 1 Male – Palestine 2 Males – Syria

3.4 Data Analysis

To analyze the data gathered from both quantitative and qualitative sources all information was coded into different keywords and themes. From all the compiled material, quotes and stories were selected for the qualitative information. The quantitative information retrieved through the survey was analyzed through SPSS, which generated the statistics presented in the findings.

3.5 Data Validation

A steering committee was established to validate the data of the study. In the meetings that took place a group of experts was invited to discuss to study and to provide the research findings with comments. The steering committee was also consulted to set up the research initially to incorporate questions of the members in the research. The members are listed in Annex V of the study.



3.6 Ethical considerations

Considering the fact that the study dealt with sensitive topics, the IRC took several measures to ensure the research was conducted ethically. All participants were given an informed consent document to sign that states that they were aware of the objectives of the study and were still willing to participate in the research. Furthermore the personal information as provided by the participants was to remain confidential unless authorization was granted. The researchers who contributed to the project received training before conducting the research in order to remain sensitive and understanding toward the socioeconomic context of the participants themselves and to ensure that the interviews were conducted in a safe and comfortable environment.

Ethical considerations were particularly important regarding children's participation in this research. Active informed consent was gained from the children themselves as well as their parents. Informed consent was considered a process, giving the children a choice to opt in and/or out as they chose if certain stages proved to be too sensitive or uncomfortable. The research team did not encounter any problems with the consent forms. The children were eager to participate and express their opinions just as their parents were happy to have them engage in extra-curricular activities. Some parents in the Madaba and Amman workshops asked if they could accompany their children to the centers and therefore arrangements were made so that parents could accompany their children but were invited to sit in a separate room from where the workshops were being conducted to ensure the integrity and frankness of the workshops away from direct adult supervision.

The research team was also considerate to children's feeling and narratives and gave them the time and space to consider their positions. During the discussions children were left to decide when and if they joined in the conversation and they only did so when they felt comfortable. In the mind mapping exercise in particular the participants were given the option to skip any questions or segments of questions if they felt that the information requested was too personal or sensitive.. Furthermore, only the participants who volunteered to talk about their mind maps to the whole group did so and the same rule applied to sharing the writing material. This approach was adopted in recognition of the ethical reference set out by the researchers and the children at the outset of the project and fulfilled a commitment made by the IRC not to coerce the children into participating in the research when they were uncomfortable.



As part of that commitment, the research team also guaranteed that the analysis of data collected from children in not used for any purpose other than what was agreed upon at the onset of the project. A workshop to analyze and validate the data by the children took place at the IRC to ensure that they were also comfortable with the analysis made from the information they provided.

3.7 Research limitations

For the social impact analysis, the sample size of 440 was insufficient for any kind of scientific inference. The researchers were not granted access to data on these families from the Ministry of the Interior or the Department of Statistics, so the participants were gathered through contacts with CBOs. Due to its size and collection method, the sample is biased. The survey results are used as tentative indicators of national trends and to supplement the qualitative research of the child participatory research and the quantitative estimates of the cost benefit analysis.

The Child Participatory Research method was initially defined as 'Child-led Research', where children of Jordanian mothers married to foreign husbands would conduct research with their peers by documenting their own experiences. After embarking on the planning of this section of the research and in consultation with parents of some of the children, the facilitators decided to change the methodology. Logistically, school and parental consent was difficult to obtain. These factors combined with training the children to perform self-research made this program infeasible. The researchers decided it would be more prudent to shift to having the children as participants in the research and influence the progress of the research. Initially an alternative plan was drawn out to involve children from the Jubilee School through an agreement with school itself but this plan also clashed with school timing and school holidays and it became apparent that the school and the children would not be able to give the project the time necessary for a full fledged child-led process.

The change in approach however maintained the integrity of the child-led process by developing creative methodologies that basically allowed the children to dictate the path of the research, its findings and even the final analysis. For each group of children a three day workshop experimented with the idea of 'Identity' and 'Sense of Belonging' using different creative tools like mind maps, interviews and debates. It was evident that the children found difficulty in grasping the idea of 'Identity', which is a focus in



the residency denial study. The results that came out of this experiment may not have addressed this as a philosophical issue but it did underline their sense of belonging to their country of residency and the sense of unfair treatment that they experienced. The findings also shed light on the effects that the residency law on the children, particularly on their psychology and perception of identity. They experienced difficulty in grasping the concepts behind identity and belonging, since these are vague concepts that at their stage of life were more linked to living spaces and immediate families as opposed to more abstract notions of homeland and country. Nonetheless, it was clear that the children were able to articulate levels of commitment to Jordan – as their primary country of residence – versus the country of the nationality of their fathers. In most cases it was evident that children had not yet come face to face with the legal limits on their stay in Jordan although all were aware of the restrictions placed on their parents.



4 Cost Benefit Analysis

To determine the exact size of the population of JWMNJ, several figures were obtained. First, according to the Arab Women Organization of Jordan, statistical records of the Ministry of Interior reveal that the number of Jordanian women married to non-Jordanian totaled 65,956 at the end of 2009.⁴⁷ Moreover, based on DoS figures, the number of JWMNJ in 2009 was 63,089. For the purpose of this study, we use the figures of the Ministry of Interior since it is the only official number in circulation.

Costs:

By granting JWMNJ foreign spouses and children residency, it is expected that the government will incur certain costs. These include:

- 1. Forsaking annual residency fees
- 2. Loss of work permit fees
- 3. Cost of subsidizing education at public schools and universities
- 4. Cost of consuming subsidized water and electricity
- 5. Cost of providing healthcare at public hospitals/healthcare centers

4.1 Residency Visa Fees

In order to issue a residency permit, the government charges a fee of JD 50 per person. For the purpose of this analysis, the 50 JD fee is multiplied by the total number of members in JWMNJ-headed household members, estimated at 332,001 persons. The figure was derived from the 2009 figure of JWMNJ (65,956 women) in the Arab Women Organization for Jordan Report multiplied by the Jordan average household size of 5.8 minus 1, which is the JWMNJ. This brings the figure to 4.8.

A population growth rate was projected for 2011 based on the growth rate in the last 10 years of 2.4% calculated from the DoS database. Assuming a growth rate of the JWMNJ household that is similar to the national average, this average growth rate was thus applied to the family of the JWMNJ.

⁴⁷ "Economic, Social, Political and Psychological Implications on Jordanian Women Married to Non-Jordanians and their Families." Arab Women Organization of Jordan. June 2010.



To arrive at the total residency visa fee amount, the calculation becomes straight forward as the population size (adjusted by the growth rate) is multiplied by the JD50 per person annual fee. The residency visa fees for the JWMNJ family reached JD16,600,035 for 2011, as illustrated in the table below.

Table 1: Residence Visa Calculation

Category	2009	2010	2011
Projected JWMNJ population (based on 2.4% growth rate)	65,956	67,542	69,167
Average JWMNJ household size, excluding JWMNJ	4.8	4.8	4.8
Total number of members in JWMNJ headed households, excluding JWMNJ	316,589	324,203	332,001
Residence visa fee (JD)	50	50	50
Total residence visa fees for JWMNJ household	15,829,440	16,210,159	16,600,035

Hence, JD 12,964,627 would be a direct cost to government from providing permanent residency to JWMNJ households. This cost is a direct loss to government from such a grant and will be compiled with other costs in the analysis.

4.2 Work Permit

According to the Ministry of Labor, the work permit fee for an Arab national working in Jordan is JD 280 per person; and the work permit fee for a non-Arab is JD 300 person. Since the JWMNJ are married to Arabs and non-Arabs, the analysis uses JD290 per work permit, which is the simple average of the two fees.

The assumption here is that the spouse of the JWMNJ would require an annual work permit in order to work. Note that this is a generous assumption that tends to inflate the work permit fee receipts of the government since not all spouses are granted work permits. In the absence of detailed data on who receives such permits and who does not, the study assumes all receive it and pay for it. It is worthy of note, however, that not granting work permits has proven, as indicated by the Questionnaire, to cause economic and social hardships and undue marital stress on the household.

"The work permit costs 220 JOD, 10 JOD for transportation and 30 JOD for the medical examination. On top of this, my family employs my husband nominally just so he is eligible for one."
-woman from Zarqa



'The child of the needs a work permit and valid residency to be able to work in the country. Even then, he can only work in jobs designated for non-Jordanians such as night guard, janitor, or laborer. He can't practice medicine or become an engineer." Habashneh, activist and campaigner for families of **Jordanians**

non-Jordanians

In order to calculate the work permit costs, the work permit fee of JD 290 was multiplied by the total number of spouses of JWMNJ (69,167 in 2011), which was then multiplied by 0.781, which represents the likelihood that JWMNJ and their spouses would stay in Jordan. This amounted to JD **20,058,375** for the year 2011.

Table 2: Work Permit Calculation

Category	2011
Work permit fee (JD)	
Arab	280
Non-Arab	300
Average Arab and non-Arab	290
Total work permit fees for JWMNJ spouses	20,058,375

4.3 Cost of subsidizing education at public schools and universities

Given that Jordan is a signatory to the Convention on the Rights of the Child, it should be noted that the convention clearly outlines the basic right of each child to receive free primary education.⁴⁸ Therefore, if the Jordanian government intends to grant children of JWMNJ civil rights including education and healthcare, the targeted segment should, consequently, enjoy access to public education.

Public education is not free; it is, however, subsidized at the elementary and secondary levels. However, it is arguable whether public universities do receive government subsidies. Relying on revenues generated from parallel track and international student fees, in some cases public universities are completely self-sufficient. Even competitively admitted students pay tuition fees. Therefore, the case can be made that public universities are not entirely subsidized. Jordan University, according to its Vice President for Academic Affairs, for example has not received any allocations from the Treasury in the past year.

⁴⁸ FACT SHEET: A summary of the rights under the Convention on the Rights of the Child, UNICEF, http://www.unicef.org/crc/files/Rights_overview.pdf



4.4 Public Schools Education

Since the data is not segregated to demonstrate enrollment of each child of JWMNJ at school level or grade, the study uses the average cost per child per year. This method allows for an approximation of costs for the whole population under study.

According to 2011 data from the Ministry of Education, a Jordanian student who is enrolled in a public school pays annual fees that are summarized as follows: from grade 1 to 7, a student currently pays JD3 in annual fees, while he/she pays JD4 for the grades 8 – 10 and JD 6 for grades 11 and 12. The aforementioned fees add up to JD45, which is the total cost of education in a public school for a Jordanian who completes her education through high school. Therefore, the average yearly cost in a public school per Jordanian child is JD3.75.

On the other hand, the non-Jordanian student who is accepted in public schools currently pays JD40 in annual fees for grades 1 – 10, while he/she pays JD60 for grades 11 and 12. As a result, the non-Jordanian pays a total amount of JD520 in a public school for a non-Jordanian who is permitted to complete her education through high school. The average annual payment is JD43.33.

Table 3: Primary and Secondary Education Fees

Grade	Jordanian (JD Per Year)	Non-Jordanian (JD Per Year)
1-7	3	40
8-10	4	40
11-12	6	60
Total	45	520
Average	3.75	43.33



A student joining public schools as a permanent resident would pay JD39.58 less than if she did as a non-resident. In other words, the government loses JD39.58 in revenue per student per year.

In order to reach a total cost of educating children in public schools as permanent residents, the loss in revenue per child to the government is multiplied by the number of children on JWMNJ that are likely to attend public schools. The average number of children of JWMNJ stands at 3.8. This is the household number less two adults, mother and father. Therefore, the total number of children is 250,633. Of these, based on the Questionnaire, only 47.5% are most likely to go to public schools. Therefore, the number of children of JWMNJ that are likely to go to public schools is 119,051 as shown in the table below.

Table 4: JWMNJ Children Attending Public Schools

Category	Value
JWMNJ women	65,956
Number of children (Average)	3.8
Number of children (Total)	250,633
Children going to public schools (%)	47.5
Number of JWMNJ children going to public schools	119,051

"It is unjust to force me to pay 40 JOD for each child to go to public school. Where am I supposed to get the money?" -mother from Sahab Based on these calculations, a total number of 119,051 students, who belong to this segment, will go to public schools, which put the annual cost that the government will bear at **JD4,712,022**.



4.5 Higher Education

The newly-integrated segment, if granted residency, will also arguably benefit from the government financial subsidies to Jordanian public universities, which will enable them to pursue their higher education and enhance their professional skills.

According to available data, the government financial allocation to public universities amounted to JD65 million (0.77% of GDP) in 2007.⁴⁹ The total number of students enrolled in public universities that year was 118,000. Consequently, the total amount of subsidy per student stood at JD551 per annum.

Assuming that the percentage of spending on higher education (0.77% of GDP) did not decrease, the equivalent spending on higher education in 2010 is JD150 million. Note that this assumption exaggerates public spending on higher education since Kanaan (2009) showed a decrease of public expenditures on higher education from JD71 million in 2002 to JD65 million in 2007.⁵⁰

"Studying at the university is too expensive for these children. The sons of Jordanian mothers are treated like foreigners and have to pay ridiculous costs." -Arob Sobo, activist and journalist

The number of Jordanian students who benefited from this subsidy in 2007 totaled 118,000 students. Given a population growth rate of 2.4% per annum, the equivalent figure of Jordanian student enrollment is approximately 130,000 in 2010. This number excludes foreign students and others enrolled in private universities.

The subsidy per student per year, therefore, is JD1154 per year, calculated as follows: JD150 million divided by 130,000 students. Again, this number is somewhat exaggerated in that it overestimates the government subsidy to higher education in two respects: the subsidy is assumed to increase not decline, and the subsidy goes only to Jordanian students not all students, when in fact the spending is shared by all students, Jordanian and foreign.

In order to maintain greater credibility of the differential between resident and non-resident cost, the study follows a similar track to the one followed in estimating the cost of primary and secondary schooling. That is, the regular credit hour at Jordan University costs a resident student JD16 and a non-Jordanian JD40. The average annual load is 33 credit hours to complete a 132 credit hour degree.

Kanaan, T., "Higher Education in Jordan, Access and Equity in its Financing", Jordan Center for Policy Research and Dialogue (JCPP), March 2009

http://www.jcpprd.org/Files/ResearchDatabase/Financing%20Higher%20Eduction%20in%20Jordan.pdf 50 lbid



Once a student becomes a resident, the government has to make up a difference of JD24 per credit hour. Stated differently, the government forsakes earning JD37 per credit hour per student. In a year, the government loses from the conversion of a non-resident to a resident that opts to join a public university JD972 per student per year.

The total loss of revenue per year to government from granting residency to JWMNJ amounts to JD7,585,404. This is calculated as in the table below.

Table 5: Loss of Revenues to Higher Education from Granting Residency

Category	Value
1.Percentage of Jordanian population that pursue higher education	3%
2.Percentage of students going to public universities	68%
3. Number of JWMNJ children likely to pursue higher education (3% of 382,545 persons)	11,476
4. Number of JWMNJ children likely to pursue public university education given that only 68% go to public universities	7,804
5.Cost of public university education per student (JD)	972
6.Total public university cost (JD)	7,585,404

In conclusion, the total education costs/losses of revenues per year, which include schools and higher education, will add up to **JD 12,297,426.**

4.6 Cost of consuming subsidized Water and Electricity

The per capita public spending on water services is calculated as follows. First, the population of Jordan in 2011 is multiplied by the proportion of Jordanians (97%) who have access to the water network.⁵¹ Thus, the study arrives at the figure, 5,929,610, which represents the total number of people with access to the water network.

World Health Organization; UNICEF (2006). "Joint Monitoring Programme for Water Supply and Sanitation. Coverage Estimates Improved Drinking Sanitation." http://www.wssinfo.org/pdf/country/JOR_san.pdf.

Retrieved 2011-06-05



The total budget of the Ministry of Water and Irrigation for 2011 was found. The budget of JD85, 477,058 was divided by the total number of users, to arrive at the average spending by the government per person on water services, which is equal to JD14.4. ⁵²

The public water subsidy is available to all consumers of pipe water. Everyone in Jordan benefits, including foreign visitors, residents, and citizens. Therefore, granting a person permanent residency will not directly increase government costs. Therefore, the cost of the water expenditures by the government will be for the total population of households of JWMNJ, which is 382,545 multiplied by JD 14.4, which is JD 5,508,645.12. However, since this population is currently residing in Jordan, the calculation is not an additional cost since consumption cannot be prevented as the household connection can be registered under the mother's name.

4.7 Electricity

The per capita public subsidy of energy is analyzed as follows. First, the total public subsidy on electricity according to the Ministry of Finance is JD140 million.⁵³ Given that 97% have access to electricity, 5,929,610 Jordanians access the national grid and benefit from the subsidy. The subsidy per person is calculated by dividing the JD140 million by the recipient population which brings the per person subsidy to JD23.6 per person per year.

As in the water calculation, the cost of subsidy will be JD 9,032,006. However, since this population is currently residing in Jordan, the calculation is not an additional cost since consumption cannot be prevented as the household connection can be registered under the mother's name.

"We are not treated like Jordanians – I have to pay much higher fees for my children. I have a health card for myself but the rest of my family suffers."
-woman from Zarqa

4.8 Health Care

Access to health care aid is currently reserved exclusively for citizens with national numbers. The study recommends that JWMNJ husbands and children be granted a special type of residency that includes full civil rights, including access to health care aid. In 2009, the Ministry of Health budget was JD64.6 million or 8% of the government budget, making the per capita public health spending per person JD10.8 that year. Assuming that the whole population of the families of JWMNJ, less of course the women of the household who are already citizens, (316,589) will become a likely beneficiary of the public health care system, the additional cost to

"My son died.
Doctors delayed
treating him
because we had
no money and he
didn't qualify for
healthcare
without Jordanian
citizenship."
-woman from
Zarqa

General Budget Draft Law for 2011. Amman, Jordan: Ministry of Finance General Budget Department, 2011. Section 2301.

Minister of Finance, "Government Spent JD650 million on Subsidies Last Year", Jordan Times, January 14 2011.

The Hashemite Kingdom of Jordan Ministry of Health Annual Statistical Book 2009, Ministry of Health, Jordan.



government is JD10.8 times 316,589, which is JD3.42 million.

4.9 Benefits

Where the state grants a residency visa to each family member of a JWMNJ, including the foreign spouse and the children, it is expected that the government will directly benefit from domestic revenues, specifically tax revenues, and permanent residence fee receipts. Furthermore, the government will indirectly benefit through additional investment and consumption, increased probability of spouses to pursue higher education, thus leading to improved human capital in the Jordanian economy with higher potential for long term growth.

4.10 Domestic Revenues

The cost-benefit analysis assumes that, with the approval of a residence visa, the marginalized foreigner married to a Jordanian woman would be effectively well integrated in Jordan and could thus obtain employment. As a result, domestic revenues, which are broken down by tax revenues, pension contributions and other revenues are anticipated to grow. Tax revenues comprise income tax from individuals, salaried employees and companies; taxes on financial transactions, or real estate tax; general taxes on goods and services; and taxes on international trade and transactions. For example, if the foreign husband works, he will pay income tax, which would be similar to that of a Jordanian citizen, and would further contribute 5.5% of his income in social security; he would also pay real estate tax, whereby he would be able to buy and sell property. In addition to the domestic revenues, the study factored in the government independent agencies' revenues to arrive at the total revenues.

The calculation for the benefits is as follows: first domestic revenues were added to the government independent agencies' revenues from 2005-2009⁵⁵ to arrive at the total revenues. Subsequently, the total revenues were divided by the population of the corresponding years to arrive at revenue per capita contribution as illustrated in the table below. Only domestic revenues were used. Aid did not enter into the calculation.

⁵⁵ General Government Finance Bulletin. Ministry of Finance. Feb 2011. Data from 2010 was excluded because the figures are preliminary.



Table 7: Average Domestic Revenue per Capita Contribution

	2005	2006	2007	2008	2009
Total domestic revenues (JD m)	2,561.8	3,164.4	3,628.1	4,375.3	4,187.8
Total government independent agencies' revenues (JD m)	638.9	876.8	676.0	516.0	595.8
Total revenues	3,200.7	4,041.2	4,304.1	4,891.3	4,783.6
Population (m)	5.473	5.600	5.723	5.850	5.980
Revenue per capita contribution (JD)	584.8	721.6	752.1	836.1	799.9

Assuming that the 65,956 husbands will work, their average contribution in terms of additional revenues to government will be **JD52.76** million based on 2009 revenues per capita (JD799.9). Given a growth rate of 9.6% of the GDP in current terms (not discounting for inflation), in 2010 the contribution to government revenues would have been JD57.8 million. Those are direct benefits to the government from granting residency to spouses of JWMNJ. However, the analysis keeps with comparing costs and benefits for 2009.

4.11 Permanent Residency Fees

The cost-benefit analysis takes into consideration the benefit of the permanent residency fees, if JWMNJ families are granted the residency visa. The government may be able to charge the following fees for granting permanent residency.

A sum of JD250 is charged for granting residency status. Then JD20 is charged for renewing the residency, just like renewing a passport, at JD20 per every five years. For simplicity, we assume that the government can charge a one-time fee of JD470, which is the sum of both fees. This JD470 fee is then multiplied by the number of JWMNJ household members excluding the JWMNJ herself, 316,589 in 2009. The total receipt would be JD148, 796,830.



However, since this is a onetime sum that is not likely to be repeated, using basic finance equations, the amount is equivalent to infinite series of annual payments to government of **JD5**, **951**,**873** in 2009, given a discount rate of 4%.

The following table shows the total costs and benefits, and the resulting net benefits, using the two aforementioned methods.

Table 8: Direct Costs and Benefits

Costs	JD
Residence fee	12,964,627
Work permit fee	15,665,591
Public school education cost	4,712,022
Public higher education cost	9,528,579
Healthcare cost	3,419,159
Total Cost	49,474,380
Benefits	
Method one	
Permanent residency fee	5,951,869
Tax revenues	52,760,388
Total benefits	58,712,258
Net Direct Cost-Benefit method	9,237,878
Return (%)	19%

4.12 Indirect Benefits

It is further anticipated that the granting of a residency visa, and the consequent removal of various obstacles, e.g. ability to gain employment and social integration within the Jordan society, the formerly marginalized JWMNJ household would be able to expand their investment capacity. In the demand analysis of this CBA, the most recent figure for gross capital formation was compiled first; the most recent figure was available for 2008. In order to arrive at a more current number, the growth rate witnessed between 2001 and 2008, 19.86%, was applied for future projections, including that of 2011.



Capital formation represents expenditures on fixed capital goods plus changes in stocks and is financed by gross disposable savings plus net capital transfers from abroad and net borrowing from abroad⁵⁶; more simply defined, gross capital formation is the accumulation of capital accumulation when savings are utilized for investment purposes. The estimated gross capital formation of JD8,199.8 million in 2011 was then divided by the projected population of 6.26 million in 2011 to arrive at a gross capital formation per capita of JD1,310. The analysis thus arrives at the total capital formation contribution of JWMNJ households of JD525,530,080 in 2011. Given that JD20000 in investment creates a job for a Jordanian for life, the total number of new jobs created from this increase in capital is over 27000 jobs.

Table 9: Capital Formation (Investment) Calculation

	2009	2010	2011
Projected JWMNJ population (based on 2.4% growth rate)	65,956	67,542	69 <mark>,16</mark> 7
Average JWMNJ household size, including JWMNJ	5.8	5.8	5.8
Total number of members in JWMNJ- headed households, including JWMNJ	382,545	391,746	401,168
Gross capital formation (JD m)	5,707.6	6,841.1	8,199.8
Population (m)	5.980	6.113	6.260
Gross capital formation per capita (JD)	954	1,119	1,310
Total capital formation of JWMNJ households (JD)	364947930	438363774	525530080

Moreover, residency and civic rights privileges for JWMNJ households would further enhance their consumption capacity. The most recent statistics for consumption were compiled first, which includes public and private consumption. The most recent figure was available for 2008. Therefore, to arrive at a more current number, the growth rate witnessed between 2001 and 2008, 16.63%, was applied for future projections, including that of 2011. The estimated consumption of JD26,750 million in 2011 was then divided by the population of 6.26 million in 2011 to arrive at consumption per capita of JD4,101.

Monthly Statistical Bulletin. Central Bank of Jordan. April 2011.



to arrive at consumption per capita of JD4,101. This consumption per capita figure was subsequently multiplied by the average JWMNJ household size of 5.8 and the probability of a JWMNJ staying in Jordan of 78.1%. The analysis thus arrives at the total consumption contribution of JWMNJ households of JD1,284,795,961.

Table 10: Consumption Calculation

	2009	2010	2011
Consumption (JD m)	18,871.8	22,010.2	25,670.5
Population (m)	5.980	6.113	6.260
Consumption per capita (JD)	3,155.8	3,600.5	4,100.7
Total consumption of JWMNJ households (JD)	1,207,241,256	1,410,499,229	1,645,065,251

4.13 Summary

Although it is expected that granting residency to JWMNJ households will lead to an increase in costs, this CBA shows in fact that there will be more benefits than costs for the Jordanian government. The government would benefit from an increase in tax revenues and a higher consumption rate.

Since it is assumed that the granting of a residency visa will increase the probability of the JWMNJ family to reside in Jordan, the increase in this population segment will effectively expand the Jordan economy. More specifically, permanent residency status is expected to allow JWMNJ members to professionally and socially assimilate within Jordan, thereby increasing the prospects of pursuing higher levels of education and ultimately leading to the development of human capital and thus long term growth potential for the Jordanian economy as a whole.



5 Socio-economic Impact Assessment

This part of the research provides an analysis on what kind of benefits JWMNJ and their families can access and what challenges they are facing. It comparatively assesses the situation of both Jordanian men married to foreigners and Jordanian women married to foreigners. The findings evoke a clear picture of who these families are in an attempt to adjust certain stereotypes that exist in Jordanian society. Broadly, the three sets of challenges these families face are cultural discrimination, economic difficulties, and public welfare deprivations. They experience discrimination inside of their own families, have difficulty finding jobs, are ineligible for free healthcare or education, and feel isolated in society. These challenges constitute serious social exclusions for this Jordanian minority.

"Without the Jordanian woman's right to obtain nationality or residency for them, her family is deprived of many of its rights. This deprivation leads to feeling of alienation. It creates multiple isolated cultures. These can feed into ethnic and intellectual minorities and extremism. These will become social problems that could tear apart society." -Hussein Mahadeen, Associate Professor of Sociology, Mutah University, interviewed 5 August 2011

5.1 Identity of Jordanian men and women marrying non-Jordanians

Men and women from Jordanian and non-Jordanian backgrounds in these marriages had, on average, the same levels of education. The Jordanian and non-Jordanian women in the sample had the same level of education, with 31.4% and 31% receiving secondary education or higher, respectively. The Jordanian and non-Jordanian men had received 60% and 61.4% receiving secondary education or higher, respectively. The foreign spouses came from a variety of countries, primarily in the Arab world. Foreign women in the sample had 17 different nationalities: Palestine (West Bank and Gaza), Palestine 1948, Egypt, Syria, Iraq, Lebanon, Algeria, Yemen, Morocco, Australia, Ukraine, Philippines, Russia, Romania, Nicaragua, Germany and Colombia. Foreign men had 12 nationalities: Palestine (West Bank and Gaza), Egypt, Syria, Iraq, Yemen, Tunisia, Kuwait, Pakistan, Sudan, Bangladesh, India and Turkey.



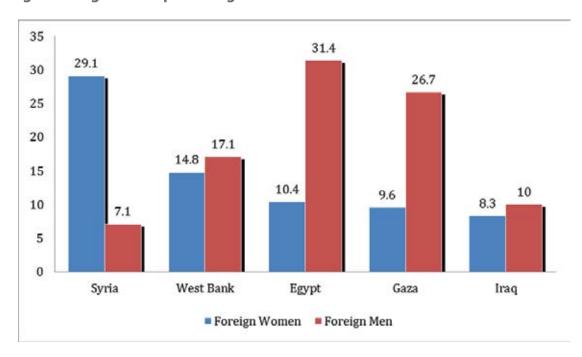


Figure 1: Highest five percentages of nationalities

The figure shows that the pluralities of foreign women are Syrian, whereas the pluralities of foreign men are Egyptian. Combining the proportions of foreign men coming from both Gaza and the West Bank shows Palestinians to be the largest of proportion of foreign husbands as 43.8%.

The prevalence of spouses coming from Palestine (West Bank and Gaza) can be explained by the cultural and geographic proximity of Palestinians and Jordanians. Many Jordanians have roots and kinship in Palestine. Due to the cultural norm of marrying relatives from the extended family or clan, this explains the prevalence of marriages with Palestinians.

5.2 Family Response

Immediate families were more accepting of sons marrying non-Jordanian women as opposed to daughters marrying non-Jordanian men. Only 65.2% of families in Jordan initially accepted the marriage of a Jordanian woman to a non-Jordanian man while 85.7% showed initial acceptance of the marriage of a Jordanian man to a non-Jordanian woman.



The extended families were similarly unaccepting of non-Jordanian husbands. Only 57.5% of extended families accepted the marriage of a Jordanian woman to a foreigner while 70.4% accepted the marriage of a Jordanian man to a non-Jordanian woman. Women also detailed the treatment of their extended families: 9.8% were insulting, 5.1% placed pressure on the immediate family to cancel the marriage, 7% placed pressure on the woman, 0.9% refused to talk to the woman and her new family, and 0.5% refused to attend the wedding. From this treatment, it is clear that the challenges women face in marrying foreigners begins in their own homes. The levels of ostracism these women face mean social exclusion from their own kin networks. Even before facing difficulties in public or occupational life, they are challenged privately.

"My uncles are horrible to my husband – simply because he is an Egyptian."

- woman from Sahab

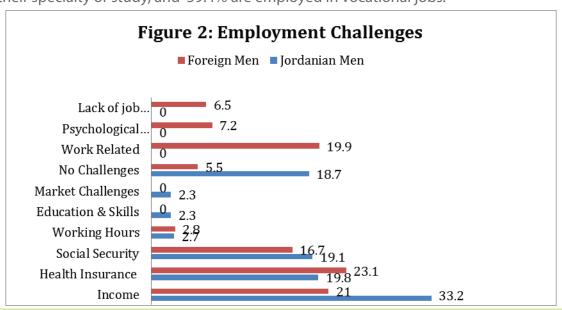
"My parents call my son 'the son of the Gazawi'. They force him to stay in a room by himself when he goes to visit them. They don't love the son of their own daughter."
-woman from Aqaba

5.3 Economic Challenges

A major component of the difficulties faced by these families are economic challenges. Significant disparity exists between households that are headed by a Jordanian man and a non-Jordanian man.

Jordanian men had better jobs than non-Jordanian men. The Jordanian men married to foreigners in the sample primarily worked in their areas of specialty or study (51.1%) and few worked in vocational jobs (14.8%).

On the other hand, the majority (71.2%) of non-Jordanians worked in fields other than their specialty or study, and 59.4% are employed in vocational jobs.



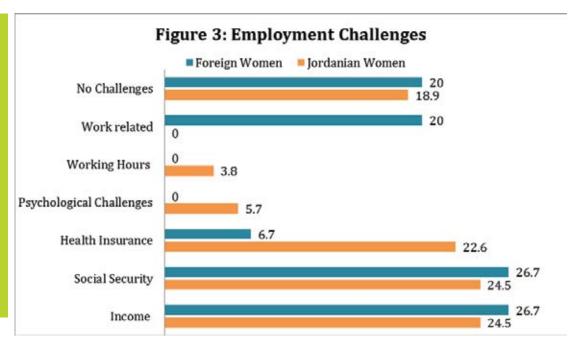


"My husband has to work one day and stay in the house for ten, because he doesn't have a work permit. He's gone to prison several times for this." - woman from Non-Jordanian men experience employment challenges that are far more fundamental than those of Jordanian men. Non-Jordanian men cite lack of job opportunities, psychological, skills and work-related challenges while Jordanian men do not. Further, 94.5% of non-Jordanian men asserted that they meet challenges in the job market while 18.3% of Jordanian men did. Since citizenship is not passed on to their children, when they reach working age they face the same problems of their parents.

The major difference between employed women was how a significant percentage of Jordanian women (22%) cited healthcare coverage as an employment challenge whereas only 6.7% of foreign women did. While only 17.1% of Jordanian women and 17% of non-Jordanian women were employed, it is evocative of the healthcare difficulties these families face that even when women are employed they have difficulty accessing healthcare.

"My children have a right to work. My son wants to join the army but he can't simply because his father is from Gaza."
-woman from Sahab

"My son wants to work in the public sector. He needs a national number. He needs a work permit. The cost of the permit is too high." -woman from Aqaba





Similar employment challenges exist for the children (primarily the sons) of these families. Stakeholders also pointed out how these children end up taking lower income jobs because of a lack of opportunities.

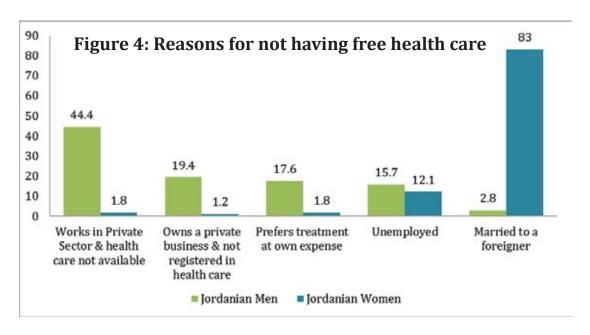
All of the employment issues suggested by these results- difficulty in gaining work permits, finding jobs, and accessing employment benefits for fathers, mothers, and children- have two important ramifications. These challenges are differentially far more severe for families with a Jordanian mother: the issue of work permits does not apply for Jordanian fathered families, and Jordanian wives emphasized the difficulty in even finding jobs for their families and problems with employment benefits. With this disparity in mind, it is clear that legal regulations regarding work permits and the cultural practices surrounding employment constitute a serious social exclusion of these families- they are being denied the right to work. They are constitutively a deprivation of employment and instrumentally a deprivation in terms of the lost income and potential for destitution.

"These people have to accept jobs that others don't because they are the children of immigrant labor." -Jawad Anani, economist and former Minister of Finance

5.4 Healthcare Challenges

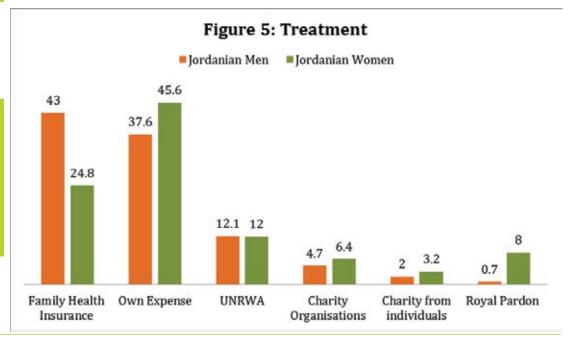
The impact of discrimination in granting citizenship to a male married to a Jordanian female is nowhere more apparent than in the case of healthcare access. Only 28% of households where the husband is a foreigner can access free health care versus 54% of households where the wife is a naturalized citizen. 83% of households where the husband is a non-Jordanian cite this as the main reason for not receiving free health care.





"I have cancer, but since my husband is Egyptian I can't receive treatment from the King Hussein Center. I've lost my rights as a Jordanian." -woman from Aqaba The differences in the ways Jordanian men receive treatment in comparison to Jordanian women were clear. 43% of Jordanian men and their families have their treatment covered through the family health insurance, while 45.6% of Jordanian women and their families get treatment at their own expense. When ill, households where the husband is non-Jordanian are more likely to cover the cost of the treatment at their own expense and are less likely to have family insurance. They are also more likely to seek charity from organizations or individuals.

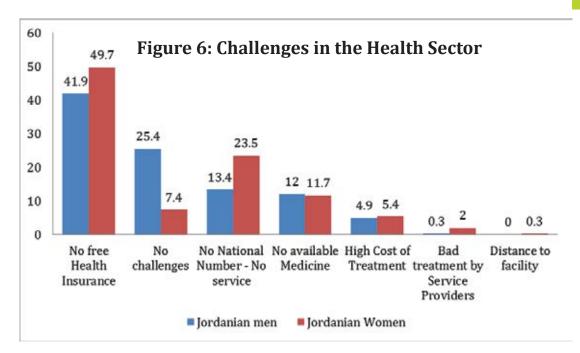






In terms of the challenges faced when getting treatment, households where the husband is non-Jordanian feel the gravest issues are no health insurance, no national ID, the high cost of the treatment, and receiving bad treatment from service providers. Furthermore, 25.4% of the sample of households where the wife is non-Jordanian stated that they had no challenges while only 7.4% of households where the husband is non-Jordanian stated they have no challenges.

"Once my son had a fever. I took him to the hospital and they refused to treat him. They simply said they don't treat Syrians. I had to take him to a private hospital and pay 20 JOD."
-woman from Aqaba



Beyond receiving coverage from employers, Jordanian women's families face severe discrimination in their access to healthcare. They do not receive free government healthcare and typically have to pay out-of-pocket for medical expenses. It is an instrumental deprivation in that the onerous costs of paying out-of-pocket can lead to serious poverty for the family.

"If the child of the Jordanian mother has a chronic condition, he might not get treated at all, since these are so expensive to treat. In any event, it ends being extremely expensive for the mother...these policies have turned the Jordanian mother into a beggar."

- Nima Habashneh



5.5 Education challenges

The families of these Jordanian women also face issues in sending their children to school. There are administrative challenges like acceptance into public schools and the cultural and psychological challenges for the children, as they face discrimination from teachers and students.

While enrollment in private schools was a preference for households where the wife is a foreigner (59.3%), it was forced upon households where the husband is a foreigner. 50% stated that their children were not accepted in public schools. In contrast, only 7.4% of families with Jordanian fathers did not have their children accepted to public school. This is likely due to problems with residency status and lack of citizenship.

Table I.

Reasons for not enrolling children in public schools	Jordanian men	Jordanian women
Not accepted in public school	7.4%	50%
Preference of private school	59.3%	17.9%
Case of child requires private school	14.8%	17.9%
Other	18.5%	14.2%

The fact that 50% of Jordanian women's children are not accepted into public schools suggests that there is a serious social exclusion of this minority from the right to public education.

5.6 Social Challenges

Both Jordanian men and women married to foreigners expressed misgivings about their children marrying foreigners. 37.8% of men and 42.9% of women said they would not let their children marry foreigners. 40% of men and 29.5% of women said it depended on destiny. Only 20.9% of men and 27.1% of women said they would allow it themselves. Of those who would not allow their children to marry foreigners, 39% of men and 42.7% of women said it was because their children would not receive their full rights. 29.5% of men and 51.7% of women did not want their children to go through the same experience as their parents had. 21% of men and 4.9% of women did not want their children to be forced to leave the country.

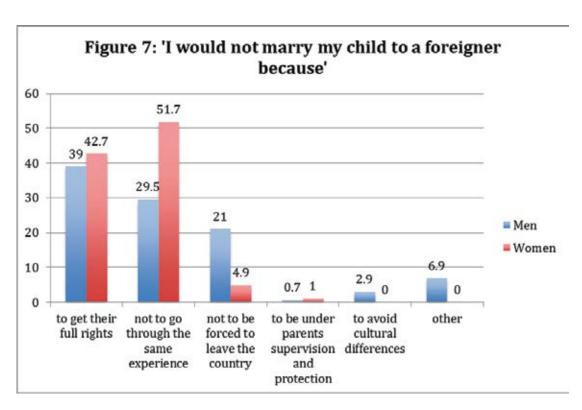
"My son is embarrassed when the teacher asks the non-Jordanians to leave the classroom or pay for schoolbooks." -mother from Agaba



That 89.5% of men's responses and 99.3% of women's responses related to issues of legal or cultural discrimination suggests that these discriminations dominate decisions relating to marriage.

"Some of the other students call my son names like 'son of the Afghani". -mother from Aqaba

When questioned more generally, Jordanian women married to foreigners felt they were in a more difficult situation than Jordanian men married to foreigners. 23.8% of women feel negatively perceived in society for marrying foreigners as opposed to 7.4% of men. 31.4% of women said their children are ostracized due to their foreign parent's nationality as opposed to 10% of men. 24.8% of women feel their families are hounded by the government as opposed to 1.7% of men. 29% of women feel they are ostracized due to their spouses' nationality as opposed to 6.1% of men. While women clearly feel more disadvantaged in society than men, the majority said they would not marry a foreigner had they understood the challenges they now face: 75% of women and 68.3% of men.





5.7 Summary

This social impact assessment provided an analysis and comparison of the situation of Jordanians men married to foreigners and Jordanian women married to foreigners.

The assessment showed that Jordanian women who marry non-Jordanians are almost exactly as educated as foreign women who marry Jordanians. Most of their spouses come from Palestine, which can best be explained through existing cultural norms and the presence of extended family in Palestine. These families are more likely to face economic hardship and discrimination. They have much higher healthcare costs due to lack of government-issued care. Their children often do not attain high levels of education, and leave school at various points due to feelings of ostracism and higher school costs. Jordanian women with foreign spouses feel worse about their place in society than Jordanian men. Nonetheless, the majority of men and women would not marry foreigners had they known the difficulties it would entail. Some families (16.2%) are considering leaving Jordan because of inability to obtain employment, lack of rights, lack of free education and continuous castigation by others. The body of discriminatory laws against Jordanian women married to foreigners leads to difficulties in their economic lives through reduced employment, residency denial, and higher education and healthcare costs. These effects, in conjunction with cultural mores prejudiced against foreign spouses, lead to feelings of isolation in society for them and their families. Marriage to a foreigner makes life an economic and cultural struggle for a Jordanian woman.



6 Children of Non Jordanian Women Married to Non Jordanians and Identity

In order to understand on the impact of the legal status of JWMNJ on their children and their experiences, the IRC conducted child participatory research. The researchers used **structured mind maps, interviews, writing exercises,** and **focus groups discussions** to provide the children with different mediums to express their experiences without the influence of their parents.

A total of 23 child participated in the three-day workshops that were held in Amman, Madaba and Zarqa. Out of 23 participants 13 were females and 10 were males. The participants came from different ethnic backgrounds including Egypt, Syria, Pakistan, Sudan, Palestine, Turkey and Morocco – and all had Jordanian mothers. Out of the 23 participants, 5 participants have Syrian nationality;4 have the Sudanese nationality; One Pakistani; two are Palestinians; nine participants have the Egyptian nationality; one has Turkish nationality and one has Moroccan nationality.

Identity was not an easy concept to pin down, for two main reasons: first, the concept is of sensitive nature, and to some, personal. Identities can be complex, multi-faceted and constantly evolving, and have different sources such as ethnicity, gender, nationality, age and class. All the participants had at least one thing in common-they all had Jordanian mothers- but they came from different ethnic backgrounds, schools and neighborhoods and thereby naturally had varying perceptions of the concept of identity. Second, the age group that participated ranged between 16 and 18, which may be regarded as a crucial stage in life, where individuals go from being children to entering young adulthood and start forming their own ideas and opinions. Consequently, ongoing dialogue was a hallmark of the workshops, and the research team ensured minimum adult intervention and the children's ownership of the discussion. There was a strong association between identity and Jordan. Most of the participants identified themselves as being Jordanian. They spoke with their Jordanian dialect, expressed their love for their country, its traditions, culture, people and history. There was no confusion or disagreement on this issue – the issue of their 'Jordanian-ness'. It became apparent from the mind mapping exercises that the majority of the participants spoke about Jordan when they filled out the 'country' branch and not of their fathers' country of origin. They used patriotic slogans, such as 'Jordan First' and expressed their love for their King.



What followed however, and became apparent in the discussion, was confusion as to why they are not being treated as Jordanians. Most of them stated that they have never been to their fathers' country of origin, and showed no desire in doing so.

"We have never been to Syria, and we have no relatives there" (Abdul Elah, 15, Syrian)

"I was born and raised here, but I still don't have citizenship. I don't want to go to Morocco – I was born in Jordan, I want to stay in Jordan, but how can I if Jordan doesn't give me my basic rights" (Rula, 16, Morocco)

The participants elaborated on feelings of 'rejection' and 'exclusion', and how that affects them personally. One of the participants stated 'I am Jordanian, but I am unrecognized'. The rest of the participants also shared their feelings:

"I am Jordanian but not on paper" (Ahmad, 16, Palestine)

"I am Jordanian, but I'm treated as half a citizen" (Rula, 16, Morocco)

"I am Jordanian, but in reality I'm a nobody, just a skeleton that wanders the streets" (Abdulla, 17, Egypt)

6.1 Awareness

It became evident from the discussion that the children are quite aware of their situations, particularly the financial strain that this gender discrimination inflicts on their families. Regardless of the topic at hand, whether it was education, health or tourism, the children were aware of the regular fees that Jordanians pay; in contrast to the fees they had to pay as 'foreigners'

"My brother and I pay higher school fees. We pay 40 JDs per term – a Jordanian student pays 4 JDs a year" (Haneen, 17, Syria)

"We do not have health insurance, and have to pay for medicine 15 JDs and 10 piaster, but a Jordanian citizen pays 2 JDs." (Sabrine, 17, Sudan)

"When I went to Petra, I had to pay the fee that internationals and tourists pay" (Abdulla, 17, Palestine)



The children also expressed concern about the procedures their families had to go through to apply for residency permits – which as they described was a mentally and financially exhausting experience. The process of securing the paperwork, undergoing medical examinations, and paying the fees was one problem, but having to undergo this procedure on a yearly basis was another.

"Applying for residency is a difficult process, they ask us for many papers, and we have to go through medical tests every year. They never ask us for all the papers at once, so we end up going back and forth several times before the procedure is complete. Then the residency takes months to get issued" (Niveen, 19, Sudan)

These issues were the first to come out in the discussion in all three workshops. The children would state the financial burden of being treated as 'foreigners' before going more deeply into issues like identity, status and society.

6.2 Higher Education

A central focus of the discussion was education and what it meant to the children and their future. The majority of the child participants were in their secondary level of schooling, at an age where they have clearly started thinking about university education and future careers. They had a diversity of aspirations: some of them wanted to become doctors and lawyers, while others expressed interest in journalism and cosmetics. There was however general consensus about the obstacles they would have to face before actually pursuing their university education. As children of Jordanian mothers and non-Jordanian fathers, they would have to pay international fees in public universities. An international student pays three times the fee that a Jordanian citizen pays. This discrepancy in fees was a common concern for the majority of the participants, as it created some uncertainties about their parent's financial ability to sponsor their education.

There was considerable debate on the importance of education. A female participant was talking about her desire to pursue a degree in Journalism, and possibly study abroad in Egypt, when a male participant expressed that there was no point in her going through the trouble of obtaining a Bachelors degree, as the possibility of securing a job upon graduation is slight, if not impossible.



"You are a foreigner in this country; the government is barely securing jobs for Jordanians, what makes you think you are an exception?" (Abdulla, 17, Egypt)

There was strong opposition to this argument as many participants in that workshop stressed on the importance of pursuing higher education, even if the future holds some uncertainties for them.

6.3 Social Stigmas

Most of the participants pointed at the phenomena of assigning what they called 'social labels', such as being referred to as 'Ajnabi' [foreigner] in different settings including their schools and neighborhoods. This affected them on a personal level, as it was a constant reminder that they are 'foreigners' at their own home.

"The label 'foreigner' makes me sad, why am I called a foreigner? I'm an Arab, my mother is Jordanian and my father is Syrian, I'm not a foreigner. This word really hurts me." (Anoud, 17, Syria)

Another 'social label' that the participants pointed out was being referred to by the father's nationality – 'Ibn el Masri' [the son of the Egyptian], or 'Bint el Souri' [the daughter of the Syrian]. This was one way of trivializing their identities, as people use labels to refer to them rather than addressing them personally as individuals.

"When I go to Egypt, people call me 'Mohammad the Jordanian guy', when I come back to Jordan, they call me 'Mohammad the Egyptian guy', it seems I will never be just Mohammad" (Mohammad, 17, Egypt).

The concept of social stigmas also stood out in the focus group discussions that were conducted with JWMNJ. Most of the women elaborated on their feelings of exclusion – exclusion not only from their surroundings – but also from the constant criticism that neighbors and family harangue them with for marrying non-Jordanians.

The findings of the socio-economic analysis also highlight these feelings of exclusion, especially when the mothers spoke of their children's relationship with school, teachers, friends and studying. Of those who participated in the socio-economic



survey, a third stated that their children refuse to go to school, and the reasons for this include: having no friends, mocking them for their father's nationality or feeling excluded.

6.4 Marriage

Marriage was a concern expressed primarily by male participants. Their inability to pursue higher education as a result of high tuition fees, their inability to own property and secure employment and health insurance, are all factors which result in a less secure future and in turn minimize marriage prospects. The males believed that their situation is graver than that of females, as females can marry Jordanians who hold national ID numbers, and their problems would be solved.

Female participants however disagreed, and stated that this is their problem as well, as they have brothers who are in the same situation – brothers who are struggling with the same issues. Therefore simply marrying Jordanians and obtaining the citizenship is not the solution.

"If my brother is still struggling with an issue then it is my issue as well, we are one family, and his problem is my problem" (Rula, 16, Morocco)

"It's difficult for boys, if they want to get married, not a lot of families will accept them – with no nationality, their future is less secure" (Ahmad, 16, Palestine)

6.5 Discrimination and Instability

It became apparent as the discussion flowed that the gender bias in granting residency not only affects the children in issues pertaining to education, health and marriage, but it also limits them in practicing their hobbies and extra-curricular activities and excelling in them. One participant expressed his love for football, but his inability to play on the Jordanian national team, as he does not hold a national number – a dream which he one day hopes would come true. Moreover, participants shared stories of their friends and neighbors, who were also in the same situation. In one case, an Egyptian girl born to a Jordanian mother placed 1st in a national poetry competition but was told that they would place her in second place at the award ceremony as she was not 'Jordanian'.



Feelings of insecurity were expressed, and especially among male participants, as they often get stopped by officials and have their ID's checked. The fact that they do not hold national ID cards in some situations result in them having to go to the police station to get their residency status officially checked.

One participant elaborated on the feeling of instability that goes through at school. The school administration threatens him that if he misbehaves he will be expelled and reported to the Mukhabarat. In one incident, he was misbehaving along with his class mates, but was singled out and called 'Ya ibn el masri' [you son of an Egyptian]. After a heated argument with his principal, he was expelled.

"I have changed schools ten times, and I have met many Jamals [principals] along the way, but they will never stop me from finishing my education, I will never let them stand in my way." (Mohammad, 17, Egypt).

6.6 Summary

Residency denial has a significant impact on the lives of children of JWMNJ. Most of the children identified themselves as being a Jordanian, and expressed little interest in the country of origin of their father. Consequently, the children expressed feelings of rejection and exclusion as they are not able to inherit Jordanian citizenship of their mothers. All of the children were quite aware of the discrimination and financial constraints that their families are facing. They were aware of higher fees they had to pay for education, and of the limited job opportunities they will encounter after obtaining higher education. Furthermore, many children refused to go to school, because of a lack of friends or because of the social stigmas placed upon them by constantly being referred to as a 'foreigner'.



7 Conclusion

This study aimed at assessing the current situation of Jordanian women married to non-Jordanians (JWMNJ), and draw attention to the social exclusion that these women and their families face. From the cost benefit analysis as conducted by the IRC, it became apparent that the Jordanian government will benefit rather than face an increase in costs from granting residency to JWMNJ. The government will benefit from an increase in tax revenues and a higher consumption rate. Granting residency to JWMNJ on the long term will potentially lead to the development of human capital and accordingly to national economic growth.

Nevertheless, women in Jordan continue to face discrimination in the law that leads to social exclusion, because they cannot participate in the key activities of society. JWMNJ cope with a limited ability to obtain employment, reduced and expensive access to healthcare, lack of subsidized education and the continuous castigation by others. The outcomes relate to Sen's conclusion that social exclusion can be constitutively part of capability deprivation as well as instrumentally a cause of capability failures.⁵⁷ In the case of JWMNJ it is clear that the denial of their residency constitutes in itself a deprivation, while it also instrumentally causes other deprivations. The exclusion of the foreign husbands and children of Jordanian women married to non-Jordanians is an active exclusion, as it is based on the policy of the government. On the other hand, the potential social exclusion of the family of a Jordanian man married to a non-Jordanian woman is passive, as it is a consequence of circumstances without active fostering on the part of an agent.

The third component of the study focused on the children of JWMNJ. The results of this study indicate that not only JWMNJ cope with social exclusion, but their children as well. The social stigmas that they face can be explained by the 'enforced identity' that they encounter. Although most children identified themselves as being Jordanians, their environment keeps on enforcing the label of 'foreigner' upon them. Social exclusion affects the children on a personal level as the express feelings of rejection from their environment.

These three components of research have demonstrated the enormous challenges these families face and how granting residency would benefit the Jordanian economy through their consumption and tax revenues. The issue is even more significant

⁵⁷ lbid. p. 5, italics i.o.



because it is a deprivation based on gender alone given the rights of Jordanian men married to non-Jordanians. This research is a foundation for the case to overturn this injustice.



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Annex I: Facilitator Protocol for Conducting Individual Interviews

Preparation

Prior to conduct of the interview, the participant will have been recruited by the research team and arrangements made for the location of the interview and other logistics.

During the Interview

- Ensure that the interviewer arrives at the location of the interview by the agreed time and that he/she is prepared
 - o Working recording equipment (two audio recorders and extra batteries)
 - o Note-taking materials
 - o Arrange for a small token of appreciation to give to the participant (e.g., candy)
- Greet the participant
 - o Have the participant introduce herself/himself, and the interviewer will do the same
 - o Ask the participant how he/she prefers to be called
 - o Engage with the participant to help ensure comfort with the process
- At the beginning of the interview,
 - o Remind the participant of the purpose of the meeting:
 - o Encourage participant to discuss his/her ideas freely
 - o Emphasize the confidentiality of the discussions and that whatever said will not be disclosed to anyone,
- o Ask the participant if the conversation may be recorded, and mention that notes will be taken during the interview
- Remind him/her that if the conversation is recorded, only researchers involved in the study will have access to the recording
- o Mention that the interview is designed to last for about half an hour, although it may last longer
- o The interviewer should turn off his/her cell phone and ask the participant, if he/she has one, to do the same
- The interviewer asks the first question, using "probes" as necessary to engage the participant in the discussion. If the participant does not readily engage in discussion of the first question, use the pre-defined probes for the question to elicit participation.



- Take comprehensive notes during the interview, without disrupting the flow of the discussion
 - Summarize the discussion from each question and ask the participant if there is anything else he/she would like to say or if there are any corrections to be made.
 This is important: to ensure that the participant has the opportunity to fully engage.
- o If there are changes to be made, they should be made on the notes taken by the interviewer (they will also be audio-recorded)
- Make sure that there is sufficient time spent on each question, facilitating the movement to the following question without interrupting the discussion insofar as possible. For example, by saying: "This has been so helpful; we really appreciate your ideas. We'd like to learn your opinions about...."
- Proceed to each question, using probes as necessary.
- At the end of the discussion, again ask if the participant has anything he/she would like to say about Jordanian women's participation in the labor force generally or the New Social Security law. This may open up a "floodgate," so be careful with this question. If he/she wants to talk well beyond the time available, you might suggest a meeting in the future if this is possible.
- Thank the participant and remind him/her how important this information is –that he/she is making an important contribution. Mention that a copy of the report of the study will be provided to him/her if requested.

HINTS FOR THE DYNAMICS OF THE PROCESS

- Ensure that there is a smooth flow of discussion.
 - O The interview questions are designed to flow in order. However, it is important to note that if the discussion "naturally" flows to a later question in the sequence for example, from question 1 to question 3 the interviewer can let this progression occur. If this happens, the question needs to be clearly delineated in the notes with the key points being made by the participant.
- The participant should be encouraged to engage in the discussion but this should be done carefully to ensure that he/she is not embarrassed. **At no point** should the interviewer insist on a response; do not insist on engagement if the participant is uncomfortable.
- The interviewer should carefully observe both verbal and non-verbal cues to ensure that the participant is comfortable.



Annex II: Facilitator Protocol for Conducting the Focus Groups

Preparation

Prior to conduct of the focus groups, each participant will have been recruited by the research team and arrangements made for the location of the FG and other logistics.

During the Focus Group Meeting

- At least two hours prior to the meeting, with the observer, ensure that the meeting room is prepared
 - o Flip chart and markers
 - o Recording equipment (two audio recorders and extra batteries)
 - o Ensure that electrical outlets are working, in case batteries run out
 - o Chairs (arrange in semi-circle)
 - o Have water, juice and/or coffee and/or tea and healthy snacks available
 - o Ensure, insofar as possible, that the room temperature is comfortable
 - o Ensure that the room will be as guiet as possible
 - o Ensure that the room will be private during the Focus Group and that the meeting will not be disturbed, for example, by inform others in the building that the FG will take place in the room during the specified time and/or posting a Do Not Disturb sign on the door
 - o Arrange for the tokens of appreciation to be available in sufficient numbers for the expected number of FG participants
- Greet each individual participant
 - o introduce herself/himself
 - o ask the participant how he/she prefers to be called
- o engage with the participant to help ensure comfort with the process
- At the beginning of the Focus Group Discussion,
 - o Remind the participants of the purpose of the meeting:
 - o Encourage participants to discuss their ideas freely, emphasize again the confidentiality of the discussions and that whatever said will not be disclosed to anyone, including their parents and guardians
 - Remind them that the conversation is being taped and that only the those involved in the FG will have access to the tape
 - o Mention that the focus group will last for about two hours
 - o Mention who is present at the focus group, in addition to the participants, and



his/her role:

the facilitator, who will guide the discussion

- the observer, who will "manage" the audio recording and take hand-written
- notes
- o Explain that the facilitator will record the key ideas of the participants on the flip chart at the end of each question and that the purposes of the flip chart are
- to make certain the participants' ideas have been noted and to determine if there are any others they want to mention; and
- to help the facilitator and observer remember what was discussed and to summarize what the participants have said.
- O Mention that it is important for each person to be respectful of the others in the group, allow all to participate; this will help to ensure that each participant will share his/her opinion freely
- O The facilitator and observer should turn off their cell phones and ask the participants, if they have one, to do the same.
- Begin with an "ice breaker" to engage participants.
- o This question will be determined in advance of the focus groups and will be the same for all focus groups it can be, for example:
- What is the most enjoyable thing you have done in the past few days?
- What is your favorite food?
- What do you most enjoy doing on the weekend?
- If you could have any job at all, what would that be?
- o Do not spend more than about five minutes on this question, giving each participant an opportunity to contribute, but **not insisting that each does so.**
- The facilitator asks the first question, using "probes" as necessary to engage participants in the discussion. If the participants do not readily engage in discussion of the first question, use the pre-defined probes for the question to elicit participation.
- Record key points on the flipcharts at the end of the discussion of each question, noting the question at the top of the page and numbering the pages; this should be in clear handwriting and large enough for all to see. This assumes literacy, but is an important sign of respect for the participants' opinion: they visually see that their opinions are being recorded.
- o Summarize the discussion from each question and ask participants if there is anything else they would like to say or if there are any corrections to be made in



what s/he noted on the flip charts. **This is important**: 1) to ensure that all have an opportunity to engage and also takes into account the possibility that some cannot read the flip charts; and 2) to ensure that the recording of the information is accurate.

- o If there are changes to be made, they should be made on the flip charts as well as on the notes taken by the observer. **THIS IS CRITICAL.**
- Make sure that there is sufficient time spent on each question, facilitating the movement to the following question without interrupting the discussion insofar as possible. For example, by saying: "This has been so helpful; we really appreciate your ideas. We'd like to learn your opinions about...."
- Proceed to each question, using probes as necessary.
- At the end of the discussion, again asks if any of the participants have anything else they would like to say about drug use or anything else. This may open up a "floodgate," so be careful with this question. If they want to talk well beyond the time available, you might suggest that the team could return if this is possible.
- Thank the participants and remind them how important this information is –that they are making an important contribution.
- Give the participants the "tokens of appreciation" that has been provided by the DARE grant.

HINTS FOR THE GROUP DYNAMICS OF THE PROCESS

- Ensure that there is a smooth flow of discussion.
- o The focus group questions are designed to flow in order. However, it is important to note that if the discussion "naturally" flows to a later question in the sequence for example, from question 1 to question 3 the facilitator can let this progression occur. If this happens, the question needs to be clearly delineated on the flip charts with the key points being made by the participants.
- All of the participants should be encouraged to engage in the discussion but this should be done carefully so ensure that none is embarrassed. At no point should he/she put the participants "on the spot," insisting on participation. You might call upon someone who has not made any comments by asking for his/her opinion about a question, but if he/she does not respond, do not insist.
- The facilitator carefully observes both verbal and non-verbal cues to ensure that participants are comfortable that their respective "voices" are being heard.



■ If anyone seems to getting "personal" or argumentative with other members and others seem uncomfortable, you might remind the participants generally (do not direct this at the particular individual) of the protocol regarding respect for others.

OBSERVER ROLE DURING THE FOCUS GROUP

- The observer records the discussion in more detail than the key points being noted by the facilitator. This must be in clear handwriting so that the notes can be readily transcribed.
- If the discussion "naturally" flows to a later question in the sequence for example, from question 1 to question 3 –the observer should note this specifically.
- The observer makes notes of the context of the focus group, including for example:
- Verbal and non-verbal "interference" between and among the participants
- External disturbances such as
- o individuals who are not part of the focus group entering the room and disrupting the discussion
- o the question needs to be clearly delineated on the flip charts with the key points being made by the participants.
 - Prior to the FG, the observer and the facilitator can agree on certain non-verbal
- signs to communicate information; for example, if a participant is not engaging in the discussion or a participant is behaving inappropriately, for example, nagging or bullying another participant.
- If a recorder is also used, the observer ensures that the recorder is functioning and uses a back-up recorder as necessary.



Annex III: Steering Committee

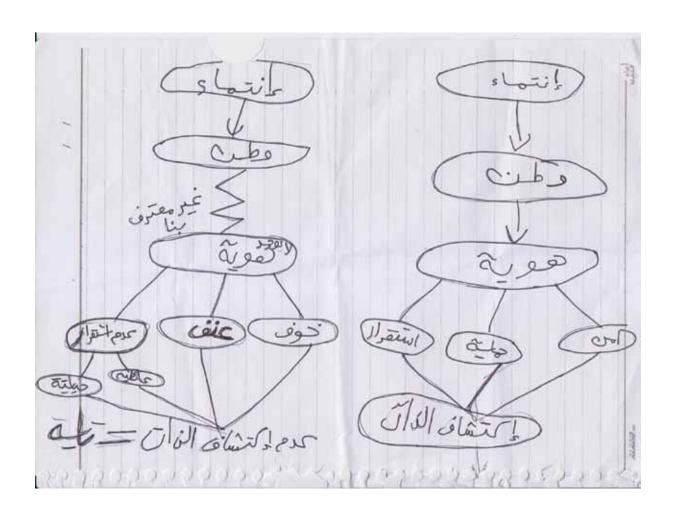
Steering Committee

The IRC has gathered a group of professionals from different backgrounds in an attempt to create an ongoing process of vibrant dialogue throughout the duration of the project. The steering committee meets to discuss the findings of the research, the different issues relating to the study and propose policy recommendations. The group includes:

- ♦ Dr. Amer Al-Jammal Department of Statistics
- ♦ Major Omar Al-Jabour Family Protection Unit Public Security Department
- ♦ Ms. Sawsan Al-Tweil Human Rights Unity Ministry of Political Development
- ◆ Dr. Hadram Al-Fayez Sustainable Development Unit Ministry of Planning and International Cooperation
- ◆ Ms. Ruba Shaqdeeh Women and Children Unity Ministry of Health
- ♦ Judge Mohammed Al-Tarawneh Ministry of Justice
- ♦ Lower House Deputy Wafa Bani Mustafa Lower House of Parliament
- ♦ Major Abdul Raheem Wleidat Borders and Residency Directorate
- ♦ Mr. Ayman Theyabat Trafficking Unit Ministry of the Interior
- ♦ Ms. Amal Al-Azam Al Wefaq Center Ministry of Social Development
- ♦ Dr. Walid Sa'di Human Rights Director Ministry of Foreign Affairs
- ♦ Ms. Ilfat Khanfar Human and Family Rights Unity Ministry of Justice
- ◆ Lawyer Ayman Abu Sharekh Private lawyer
- ♦ Mr. Mohamad Abu Ghazleh Planning and Research Department Ministry of Education
- ♦ Her Excellency Asma Khader National Commission for Women
- ♦ Lawyer Amal Haddadin National Commission for Women
- ♦ Mr. Mohammad Miqdadi National Council for Family Affairs
- ♦ Ms. Christine Fudoul National Center for Human Rights
- ◆ Ms. Nadya Al-Awamleh International Cooperation, Research and Development Unit Social Security Department
- ◆ Dr. Manal Tahtmouni Institute for Family Health Noor Al Hussein Foundation
- ♦ Ms. Nadya Bushnaq Housewives Association

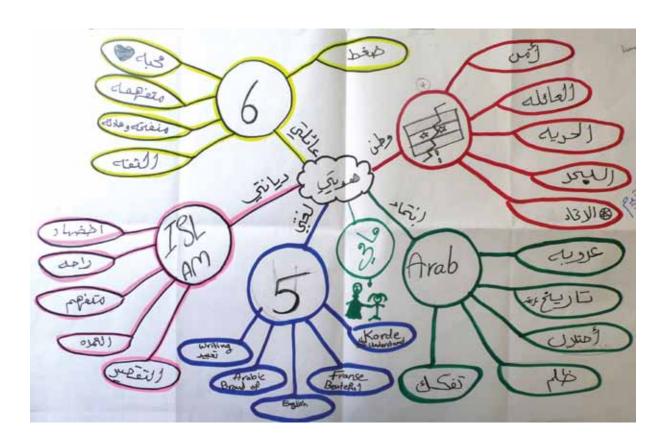


Annex IV: Writing exercises



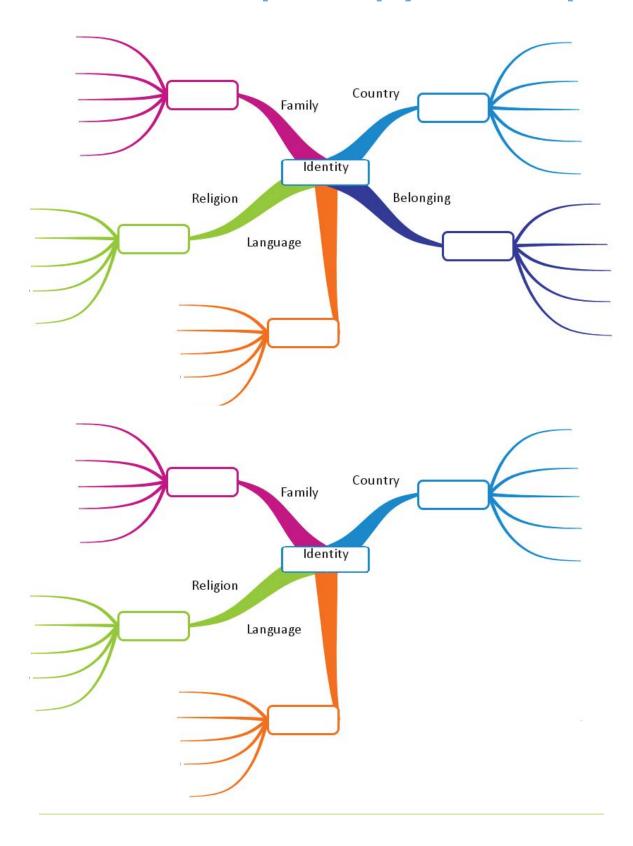


Annex V: Structured Mind Maps





Annex VI: Examples Empty Mind Maps





Annex VII: Agenda for the workshop

Day	Activity	Time
Day 1	Ice Breaker and Introduction	30 minutes
	Discussion	1 hour
	Exercise: Mind Mapping	1 hour
	Discussion	1 hour
	Lunch	30 minutes
Day 2	Reflection and Discussion	1 hour
	Group Exercise: Brainstorming of interview questions	1 hour
	Group Exercise: peer-peer interviews within group	1 hour
	Discussion	30 minutes
	Lunch	30 minutes
Day 3	Reflection and Discussion	1 hour
	Exercise: Writing	1 hour
	Group Exercise: sharing and discussion	1 hour
	Lunch	1 hour

my right