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Economic Participation, Agency and Access to Justice in Jordan

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ABBREVIATIONS AND ACRONYMS

ALMP	Active Labor market Programs
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CGA	Country Gender Assessment
CSO	Civil Society Organization
DoS	Department of Statistics
DPR	Development Policy Review
GoJ	Government of Jordan
ICT	Information & Communication Technologies
ILO	International Labour Office
JCLA	Justice Center for Legal Aid
JLMPS	Jordan Labor Market Panel Survey
JNCW	Jordan National Commission for Women
JPFHS	Jordan Population and Family Health Survey
LFP	Labor Force Participation
MENA	Middle East and North Africa
MoPIC	Ministry of Planning and International Cooperation
MoSD	Ministry of Social Development
NCFA	National Council for family Affairs
NCHRD	National Center for Human Resource Development
NES	National Employment Strategy
NOW	New Work Opportunities for Women
UAE	United Arab Emirates
US	United States
WDI	World Development Indicators
WDR	World Development Report
WEF	World Economic Forum

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Participatory Process

The CGA was prepared through a participatory process. A series of consultations with a number of government agencies, including the Jordan National Committee for Women, and CSOs, including the Jordan River Foundation and the Jordan Women's Union, were conducted in Amman. The primary counterpart in the GoJ supporting this work remains the Gender Unit of MoPIC. As follow up to the CGA, the Jordan Gender Action Plan, will include consultation with a wider audience. The World Bank and the Gender Unit of MoPIC will hold a series of consultations with CSOs, local government and community leaders in areas outside of Amman, in particular areas of higher poverty where gender imbalances may be larger (eg. Mafrq, Ma'an and Tafilah).

Methodology

Data and information was compiled through a combination of direct consultations with key counterparts, wider consultations with general stakeholders, review of past assessments and analytical work, consultations with World Bank Task Team Leaders, analysis of laws and regulations, and access to GoJ databases (Ministry of Justice, Ministry of Social Development, National Aid Fund, Ministry of Interior, Ministry of Public Sector Development, Ombudsman Bureau) and databases of CSOs (Jordan National Commission for Women, Justice Center for Legal Aid, Jordan River Foundation, National Council for Family Affairs, Jordan Women's Union). Information was also compiled from ongoing World Bank programs, including the Development Policy Review, the Jordan NOW Program and work on competitiveness, the investment climate and social security. As the primary counterpart in the GoJ, the Gender Unit of the Ministry of Planning and International Cooperation (MoPIC) has agreed to coordinate the collection of data from GoJ counterparts.

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EXECUTIVE SUMMARY

Background

Over the last three decades Jordan has made substantial investments in its human resources, spending more than 10 percent of GDP on health and education. Like their male counterparts, women and girls have benefitted from these policies and their quality of life has improved. Female school enrollments have risen across all income groups. Child health indicators such as immunization rates and infant mortality have improved. Fertility rates have declined as well, improving women's health. Between 1980 and 2010, literacy rates for youth females rose from 55% to 99%, and female life expectancy rose from 66 to 75 years, compared to a rise from 63 to 72 years for men. However, these achievements in human development have not yet translated into considerable increases in economic participation or in women's participation in political and social life.

Objective

The Jordan country gender assessment (CGA) has two primary objectives. The first is to assess gender imbalances in the areas of economic participation in the labor market, agency, and access to justice; provide a framework for policies or interventions to the Government of Jordan (GoJ) on addressing imbalances; and provide a basis for implementing the activities included in the Gender Action Plan (GAP). The second objective is to develop and strengthen partnerships with GoJ agencies, CSOs, and academic institutions to promote collaboration on addressing gender-related issues impacting development, and in particular to develop mechanisms for cooperation on implementation of the GAP. This CGA will further explore, in the Jordan country context, the argument that the considerable progress in human development in Jordan has not yet led to consistently higher women's participation in economic, political and social life, which in turn has slowed women's economic participation. As such it will include economic participation, agency and access to justice as core areas of focus.

Policy and Institutional Frameworks

Gaps in both the policy and institutional frameworks for addressing gender issues undermine progress in promoting women's participation in economic, social and political life. Jordan has frameworks for developing and implementing policy on gender, anchored by the Jordan National Commission for Women (JNCW). JNCW is a quasi-governmental body mandated by the GoJ to improve women's participation in economic, social and political life. It does so through the development and monitoring of implementation of policy on gender, particularly through the National Strategy on Women. However, JNCW's impact is undermined by the lack of resources dedicated to policy implementation – the activities outlined in the National Strategy on Women are not directly funded from the GoJ budget, and instead must often be funded through line agencies that may not have the available resources. And while there is cooperation and communication between the key stakeholders in the institutional framework for addressing gender issues – JNCW, the Gender Unit of the Ministry of Planning and International Cooperation (MoPIC) and its liaison offices spread across public sector institutions – there remain weaknesses in coordination and sharing of information. For example, basic data on gender from public sector institutions is mostly lacking.

Economic Participation

Jordan currently exhibits remarkable equity in health and education outcomes. Thanks to substantial investment in its human resources made over the past three decades Jordan exhibits remarkable equity in human development indicators at household level. Maternal mortality is low and declining, as is excess female mortality. Female life expectancy rose from 66 to 73.6 years, compared to a rise from 63 to 70 years for men. From a large imbalance in the beginning of the 1980s, over the last three decades Jordan has closed gender gaps in school enrollment at the primary and the secondary level; while females now constitute the majority of enrollment at the tertiary level. Between 1980 and 2002, literacy rates for adult females rose from 55 percent to 86 percent. Today, Jordan's 90 percent gender parity in literacy placed it among the top five MENA countries. Jordan is also one of the eight countries in the MENA region to show a "reverse gender gap" in education at tertiary level, with more women than men attending university. Though challenges in human development – for example according to the World Development Indicators 2011, Jordan is among the 7 MENA countries¹ with the highest gender gap in completion of tertiary education - these achievements are considerable.

The gains in human development have not been matched by a commensurate increase in women's economic participation, which remains among the lowest in the world. The "puzzle" of the inverted relation between impressive progress in human development indicators and excessively low economic participation for women - a "gender paradox" – remains a feature of the MENA region, and is even more striking in Jordan. Low labor force participation among women continues to be one of the most conspicuous features of Jordan's labor market. Even within the MENA region, where countries have some of the world's lowest female labor force participation rates, Jordan's participation rate lies in the bottom half, below the regional average of 25 percent. In 2010, the female labor force participation rate in Jordan was about a fourth of that of males (22 versus 87 percent). Despite many efforts directed toward enhancing women's role in the society and in the economy, there has been little actual progress in women's economic participation. In 2011, women represented less than 20 percent of the total labor force in Jordan. The 2010 WEF report on Gender Gap ranks Jordan 120th among 134 countries in terms of women's economic opportunities, well below many other middle-income countries.

The inactive population is overwhelming represented by women with low levels of education. When in the labor force, women face very high unemployment levels, particularly for young and educated groups. Less than 10 percent of women with low levels of education join the labor force against almost 70 percent of young female graduates and 50 percent of young females with post-secondary education. A marginal effect analysis demonstrates that women with higher education have much greater probabilities of joining the labor force: women with post-secondary education and with university and post-graduate education are respectively about 32 and 57 percent likelier to be in the labor force than their less educated counterparts. Married women also tend to remain outside of the labor force. The 'marital-status gap' in labor force participation (the relative difference in labor force participation between married and never married women) is about 24 percent. Among women aged 22-29, the marriage gap is even larger, suggesting that early marriage causes an even earlier exit from the labor market. Despite low participation, women experience very high unemployment rates - more than double than men- 20 percent versus 9.5 percent. Unemployment levels are particularly high among the young (age 15-29) and highly educated women (above 35 percent). Vulnerability to unemployment rises with the level of education for women, while men with higher education are less likely to be unemployed. The probability of being unemployed decreases with age, though it does not appear to be affected by the marital or parental status of the women, making unemployment essentially a youth phenomenon. This masks the fact that women might simply leave the labor market after failing to find a suitable job after a certain age. These factors point to a large, untapped pool of resources that are not utilized in the economy.

¹ Together with UAE, Egypt, Iran, Jordan, Morocco, Syria, Tunisia.

Gender-related bias in the economic structure of employment and production tend to distort women's economic participation in the labor force. Women have not participated in the benefits of higher growth in the past decades. Highly segmented labor markets have prevented them from working in high growth and high productivity sectors. While only one woman over four participates to the labor force, 44 percent of working women are employees in the public sector. Education and health represent respectively 38 and 12 percent of all female employment and are female employment intensive² with female employment being slightly over 50 percent in each (JLMPS 2010). However, the growth rate of job creation in these sectors has not been high recently³. What is striking about these numbers is how skewed the distribution of female intensity is across sectors. Nearly half the sectors have minimal (less than 15 percent) female presence. Very few sectors - activities such as education, health, ICT and other services - have above-average female employment intensity. Aggregate trends also demonstrate that female workers are not only locked into low growth sectors but also in sectors with low labor productivity, in particular education, health and public administration. The 2006 Jordan Enterprise Survey data from firms adds to this picture of segmentation. The distribution of female employment across firms and industries is markedly uneven. About 60 percent of firms have less than 10 percent of female employees. Only a small percentage of manufacturing firms (about 12 percent) have a female employee share of more than 50 percent. At the same time, most industries have very little female employment, while only a few such as garments are notable in their concentrated levels of female employment.

Evidence seems to suggest that barriers to economic participation start with women's educational attainment, but are accentuated by the way economic incentives are designed or preferences and social norms shaped. In Jordan there is a clear disconnect between the skills and education that women acquired and the skills requested by employers, particularly in the private sector. Women are in fact much more concentrated in studies related to humanities, with very little presence in scientific courses or in technical fields in general. The labor market outcomes seem therefore to basically mirror the fields of study in which women tend to specialize. This does not necessarily mirror the demand of skills that comes from the private sectors, and the qualifications required to join the most dynamic and productive sectors in the economy. Women are also perceived as less productive than men and face significant restrictions to become entrepreneurs. These barriers are also related to personal preferences and social norms, particularly applicable to married women, which lead to the perception of the public sector as the only "socially acceptable" employment for a woman as well as constrain women mobility, geographically and beyond (for instance reducing the ways women might look for a job). They are accentuated by the way economic incentives are currently designed: generous compensation schemes in the public sector for instance distort women's choices in the labor market. All these factors are reinforced by the lack of adequate institutions or legislation supporting the active insertion and participation of women to the economic life of the country.

Agency and Access to Justice

Mirroring the situation with women's economic participation, achievements in human development have yet to translate into considerable improvements in women's agency, with numerous obstacles continuing in exercising agency in the social, economic and political spheres. The WDR 2012 points out that global progress in outcomes associated with women's agency have, overall, been limited as women continue to control fewer assets, have less autonomous income, and have less control over household decisions than men. The situation in Jordan mostly reflects this global trend, as women face obstacles in attaining and controlling economic assets, are subjected to discrimination in exercising family roles and administering their personal affairs, and remain under-represented in political life. Low levels

² The share of women in total employment in Jordan was 17 percent in 2010. A sector with female employment share above 20 percent may be considered "female employment intensive".

³ (around 3 percent as average for 2000-2008)

of women's labor force participation also adversely affect agency, as control over incomes and associated employment benefits could provide an impetus to increasing agency.

Obstacles to women exercising agency are caused by a combination of discrimination in applicable legal frameworks, with gaps further widened by restrictive social norms that can govern women's behavior. The practical boundaries of women's agency are defined both formally by legal rights and informally through social norms. Legal rights are codified in legislative frameworks and enforced by formal institutions. Legal restrictions, often reflecting social norms, impact agency most prominently in Jordan in terms of family and personal life. Social norms, based on a combination of religious and non-religious factors, are enforced through a mix of self-enforcement by individuals, often backed by family and pressures, and informal institutions. Social norms in Jordan impact more strongly on access to economic assets and participation in social and political life, and policy development, by setting practical boundaries as to what types of choices are acceptable for women to make. They are also reinforced through biased delivery of services to women by public sector institutions, which contravene applicable legal and administrative frameworks.

Legislation and regulations, partly reflecting social norms, continue to contradict the principle of equality under the law and restrict the legal boundaries of women's agency. Although the *Constitution* provides for equality of all Jordanian citizens, a number of laws and regulations treat women and men differently, often resulting in negative impact on women's agency. These laws and regulations cover a wide area of economic and social life, including: work conditions (women are restricted from employment in certain sectors and from working during night-time hours; women have earlier mandatory retirement ages in the public and private sector); access to employment and pension benefits (male employees automatically receive family allowances in addition to salaries and pensions, women do not); freedom of movement (women need permission of a male guardian to obtain a passport); nationality (men can automatically pass citizenship to foreign spouses and their children, women cannot); and marriage and divorce (women need permission of male guardian to marry; unequal grounds for divorce between men and women).

Recent legislative and regulatory reforms, if implemented effectively, have the potential to increase women's agency through expansion of rights and improvements in service delivery. As highlighted in the WDR 2012, expanding the rights of women can foster agency, but expansion of rights for family formation and control over household assets has been limited globally. On the former Jordan has demonstrated some progress, with major revisions to the *Personal Status Code* in 2012 that affect family and personal rights for women, such as introducing new grounds for divorce and improving services related to alimony and child support payments. Other notable reforms cover areas of control over economic assets, particularly inheritance; increasing political participation through quotas for women's representation in parliament and local councils; and addressing domestic violence. If implemented effectively, these reforms have the potential to improve women's exercise of agency. However, implementation of laws and regulations can often be problematic in Jordan, especially when they conflict with social norms.

Social norms play a role in restricting women's agency, at times beyond the boundaries set by legislation, defined by the themes of traditional gender roles in the family and the physical and reputational protection of women. In concert with legal restrictions, social norms continue to restrict women's agency in terms of control of economic assets, family and personal life, and political participation. Social norms place a father or husband as the head of family, which gives him the role of guardian of the family and female members, and the responsibility to provide financial maintenance and make major decisions affecting the family. In return for financial maintenance, female family members are normally expected to defer to male family members in decision-making and control of economic assets. Protection of women in society can be applied both to physical and reputational protection, with the latter viewed as impacting the wider family. Social norms can restrict agency beyond legal

boundaries – examples include: control of a woman’s salary by a husband or father; renunciation of inheritance rights by women in favor of male relatives; virginity tests for women prior to marriage; and husbands taking control of a wife’s dowry; requiring a husband’s permission for a wife to travel outside of Jordan with their children, or open bank account for them; and refusal to investigate domestic violence accusations because they are viewed as family matters.

Economic growth can promote women’s agency by increasing control of economic assets, but obstacles to women obtaining and controlling such assets, including incomes, land, inheritance and pensions, continue to undermine the exercise of agency. As highlighted in the WDR 2012, economic growth can improve the material conditions for exercising agency, through higher incomes, greater access to services and expanded infrastructure. Earning and controlling their own assets increases a women’s bargaining power within the household and their ability to accumulate autonomous assets. But *de jure* and *de facto* restrictions on women earning and controlling their own incomes and economic assets undermine progress. Despite some improvement, women continue to control fewer key economic assets, such as incomes, land, inheritance, pensions and marital assets, than men.

Women continue to face considerable obstacles in exercising agency in family and personal life, constrained by a combination of laws and social norms. Despite some recent improvements in the legal framework, women’s agency in relation to family and personal issues remains heavily restricted by legal frameworks and social norms. Family roles and boundaries on personal freedoms are based heavily on the social concepts of the family in which the husband is the head-of-household, and as such is responsible for financial support of the family and for making important decisions regarding family life. These norms have heavily influenced legislation regulating family life. While women can legally challenge the presumptive allocation of rights within the family in order to bring more equitable family roles, doing such often involves complicated and cumbersome legal procedures. Women’s participation in household decision-making varies according to issues, as well as education levels, wealth and employment. With the exception of decisions related to a woman’s healthcare, most decisions are made jointly by husbands and wives. Restrictions on how a woman can marry and divorce decrease women’s agency, and allowing early marriage for women can negatively impact economic participation and education. Agency is also decreased by requiring women to maintain a male guardian, and impediments to women obtaining guardianship of their children. The inability of women to pass nationality to foreign spouses has a negative impact on women and their families.

Agency related to family and personal matters can be improved if amendments to the *Personal Status Code* and other legislation are implemented effectively. Women can now obtain divorce over the objections of a husband without complicated court procedures, but must renounce rights to economic assets to do so, which is less of an option for poorer women. Services related to payments of alimony and child support for women have been simplified and expanded, which should improve access to these economic assets. And amendments allowing for greater flexibility in marriage contracts could help to provide greater equality in access to marital assets, such as incomes and land. Passage of legislation on domestic violence allowed for the establishment of special investigative units and the provision of social services to victims. It also introduced a number of new protective services. However, the legislation is overly-restrictive in defining what constitutes domestic violence.

Despite steady but slow progress, women remain under-represented in the three branches of government. Increased quotas for women have led to more female representation in the National Assembly and municipal councils, but in the former women occupy just over ten percent of seats. Participation in the Senate and in the Council of Ministers has mostly stalled at low percentages over the last decade. Women’s participation in the judiciary has increased, but they remain clustered in lower-level positions and there are no female judges in the Sharia Courts. The percentage of women in professional associations has been growing as well, but they also remain clustered in associations associated in professions viewed as socially acceptable for females and are under-represented in

governing bodies. Women's participation is particularly low in chambers of commerce (1%) and chambers of industry (5%).

Access to justice is directly linked to the issue of agency – whereas agency defines the legal and social boundaries of rights and practices, the concept of access to justice covers the tools and mechanisms aiding persons in exercising these rights. In terms of gender equality and eliminating gaps in the exercise of agency, the ability of women to access justice determines to a large extent whether they are able to effectively challenge constraining social norms and discriminatory legal frameworks. Women, like men, face general obstacles to accessing justice, such as: lack of awareness of rights; limited understanding of how services function and how to access them; complicated procedures linked with services; and limited financial resources to pay court and lawyer fees. But these obstacles may be more considerable for women, through a combination of discriminatory laws, social norms that pressure women against pursuing their rights, and biased delivery of public sector services. The ability of women to effectively access justice sector mechanisms, such as courts, is essential for them to challenge social norms and discriminatory legal frameworks.

Women are less likely to report legal disputes, more likely to avoid going to court because of social norms, and perhaps more likely to seek assistance from CSOs. As individuals, men were three times as likely as women (75% for men versus 25% for women) to report having had a legal dispute in the last five years. There are no formal restrictions on women accessing court services, but social norms may prove a disincentive for women to seek justice through formal institutions. The Department of Statistics Justice Sector Survey (DoS Justice Sector Survey) found that women are more likely than men – 26% versus 17% - to report avoiding court due to customs and traditions. Social pressure may also steer women from initiating claims directly with formal institutions – according to the Justice Center for Legal Aid (JCLA), a civil society organization and the largest single provider of legal aid service in Jordan, nearly 70% of requests for legal aid assistance come from women.

Women tend to experience different types of disputes than men, primarily involving personal status issues. Personal status issues (divorce, alimony, child custody and support, inheritance and access to dowries) are under the mandate of Sharia or Ecclesiastical Courts, and are of prime importance to women. Of respondents to the DoS Justice Sector Survey claiming to have experienced a legal dispute, women were nearly four times as likely as men to have an issue related to personal status law – 41% of women versus 11% of men. Women were less likely than men to report legal disputes related to criminal or civil law.

Women and men use courts and lawyers differently. There are variations in the types of disputes men and women will bring to court. Women were more likely than men to avoid going to court for criminal and civil disputes, but not for personal status cases, which suggests that personal status issues are viewed by women as more critically impacting their lives. Women are more likely to report avoiding court because of lack of funds, and when they do go to court, are less likely to be represented by a lawyer. Access to financial resources in addressing disputes is more of a constraint for women than for men, and even more so for female-headed households. Thus the lack of a comprehensive system for providing free legal representation and waiving of court fees for persons that cannot afford them has a considerable negative impact on poorer women needing to enforce their rights. Women are also less likely to find amicable solutions for their disputes, but are generally as informed as men about the procedures for accessing courts and lawyers.

Services targeted to the poor – legal aid and deferment of court fees – are highly underutilized and poorly targeted, especially to poor women. State-sponsored legal aid services are available only for cases involving serious crimes, although the demand from women and poor persons is focused around personal status and civil issues. Procedures for accessing services are complicated, requiring many steps that burden applicants and court staff. Eligibility for services is based on poverty, but there are no clear

criteria for ascertaining it, so determining eligibility is time consuming and awarding services is ad hoc. Potential beneficiaries are mostly unaware of services - the DoS Justice Sector Survey showed 98% of survey respondents were unaware of existing legal aid providers. Anecdotal evidence suggests legal aid and court fee deferment services are rarely provided, at the same time individuals who did not access courts because of costs expressed overwhelming willingness (more than 83%) to do so if they received assistance in covering certain costs, such as lawyer and court fees. Provision of such services is particularly important for poor women, since they are more likely to avoid court because of associated costs.

The poor have higher demand for dispute resolution, but more limited access to courts and lawyers.

Poorer families are more likely to report actionable legal issues. More than two-thirds of respondents reporting actionable legal issues – 68% - fall into the two lowest categories of expenditure levels, with only 6% falling within the highest expenditure category. At the same time, and perhaps unsurprisingly, poorer families are less likely to go to court when they have a dispute, and when they do go to court, are less likely to have the assistance of a lawyer due to financial restraints. When viewed in the context that women in general are less likely to start court procedures when they have a dispute and more likely to go to court without a lawyer, these findings suggest that poor women are particularly disadvantaged in terms of access to courts and lawyers, and the current poor delivery of legal aid services and deferment of court fees does not aid in addressing this gap.

Poor persons, and poor women, have unique needs in accessing justice. Poorer persons are more likely to be involved in personal status versus criminal disputes. Within the category of personal status issues, there is an additional variation in terms of the most common types of cases. Poor women also report higher levels of domestic violence – 38% of women in the lowest two wealth quintiles versus 28% of women in the highest two wealth quintiles – according to the JPHFS Survey 2007. The DoS Justice Sector Survey also showed that poor women were more likely to report criminal disputes involving violation of public decency, which is based heavily on social norms. Alimony and inheritance cases are of more importance for poorer persons, and women report more disputes related to inheritance and child custody, the latter which provides entitlement to child support payments, while men report more disputes related to alimony and return of dowries. Poorer persons, including women, appear more willing to fight for economic assets (such as alimony, inheritance and dowries) that might be viewed as inconsequential to wealthier persons.

Recent improvements to the legal framework can improve services benefitting women, even if not considerably expanding rights. Simplified and expedited court procedures for accessing alimony and child support can enhance effective control of important economic assets, especially for poor women who may have limited access to other assets. Recent reforms to the inheritance process have the potential to better protect the interests of women by providing cooling-off periods for renunciation of inheritance rights to protect poor women from family and social pressure. In the case of inheritance of land, women must first register their rights before being allowed to renounce them. Efforts have also been made to improve services related to domestic violence and other violence against women. Women victims of domestic violence can now seek protection orders against their assailants, thus providing them an increased level of protection once violence is reported. It also allows them to remain in the family home, instead of having to flee.

Conclusions and Policy Implications

Expanding Economic Opportunities for women

Policies are needed to reduce gender-based occupation segregation and remove barriers that still prevent women from working in high productivity sectors. The very low rate of female labor force participation in Jordan reflects a real lack of opportunities for women who want to work and is not simply the result of women preferences for family life. This is starkly reflected in the dramatically high unemployment rates for young women, in particular for those with high levels of education. These women want to work, but cannot find suitable employment. It is therefore essential to improve women's access to economic opportunities by on one hand expanding the scale and type of job opportunities – for instance in some of the most productive sectors of the economy (such as ICT, financial, or pharmaceutical) -and on the other hand by breaking down the legal and social barriers that discourage employers from hiring female candidates, and discourage women who want to work from accepting available jobs.

The growth of ‘female-friendly’ industries⁴ should be promoted in order to increase women’s employment, while at the same time expanding the range of industries “suitable” for women occupation. High value service sectors such as ICT have in particular demonstrated an ability to pull women into the workforce. In manufacturing, sectors such as garments and food processing are particularly ‘female-friendly’. As recommended in the MENA WDR, best practice industrial policy, conditionality, sunset clauses, built in program reviews, monitoring and periodic evaluation are desirable. While it is important that sectors that employ mostly women grow at a sustained pace, it is even more important to move away from the notion that most sectors are inherently not suitable for the expansion of women’s employment. Evidence presented in chapter 2 of this report that women in Jordan are working in low return sectors signals the existence of mobility barriers which prevent them from moving to higher return sectors. These barriers might be of legal or social nature and might be behind such a low rate of economic participation.

The education system needs to be reformed to better respond to market signals and equip young women with the skills demanded by the private sector. Women are predominantly trained in traditional disciplines useful for a public sector job, but of limited interest to private sector employers. In order to make female graduates more attractive to firms, initiatives should encourage young women to get training and experience in non-traditional fields in demand from the private sector, such as medicine, engineering and law. To ensure sustainability and skills matching, any such initiatives should be designed and run in partnership with the private sector. Finally, employers often report that young jobseekers lack ‘soft skills’ (such as presentation skills, teamwork, comportment and interview skills) that are needed to succeed in the modern workplace. Employability and soft skills training for young women may ease the transition from school to work. However, there is very limited evidence on the effectiveness of these Active Labor Market Policies, and initial results from the Jordan NOW pilot suggest that soft-skills training alone has a limited effect on employment.

To boost female employment is necessary to reduce the real and perceived “additional cost” of hiring a woman versus a man. Women in Jordan are overwhelmingly employed in the public sector. In part this can be explained by the pay gap and monetary and non-monetary incentives described in this report. But another reason is that private employers find women more ‘costly’ to employ than men and at the same time they perceive female workers as less productive. The “revealed” preferences for hiring women in some sectors rather than others⁵ (such as in the garment industry) show the presence of costing factors that prevent business men and women from hiring female workers. They might become worth

⁴ Industries that employ large numbers of women

⁵ As per authors’ elaborations on the Jordan Enterprise Survey 2006- see chapter 2

hiring only when their actual productivity and efficiency is much higher than their male counterparts. These costs, related mostly to compliance to the law in terms of maternity benefits or flexible hours, does indeed results in an economic cost to the firm. The recently adopted Social Security Law represents a step forward in this sense as it provides for maternity benefits through a 0.75 percent payroll contribution paid by the employer on behalf of both male and female employees. Distributing the cost across males and females reduces the “per head” cost and effectively “socializes” the cost across genders and reduces incentives to discriminate in hiring decision.

Policies need to be designed to dispel common prejudices and social norms about women employees. In Jordan, as in most MENA countries, there are misconceptions among employers about the reliability, productivity and commitment of young people and women in the workplace. Policies are needed to combat these misconceptions and improve the confidence of private sector firms about the employability of youth and women. Internships and short-term incentives to firms can provide young women with workplace experience while giving firms the opportunity to screen them before hiring. An ongoing pilot in Jordan provides a ‘job voucher’ to young female graduates, effectively subsidizing firms who take a chance in hiring them.

Removing regulatory barriers and easing the access to credit for female entrepreneurs. Access to credit is a key obstacle to business startup and expansion. Anecdotal evidence from women business owners believe that they are more likely to be discriminated against merely on the basis of gender. Although bankers argue that their credit policies are gender neutral, Jordanian businesswomen claim that their male counterparts receive more favorable treatment, for example, lower collateral for the same loan amount and no requirement for a spousal guarantee, whereas a woman needs her husband’s guarantee . Jordan scores 4 out of 10 in the index of financial inclusion and women do seem to have less access to loan and credit in general and from formal institutions in particular. Improving access to credit for female entrepreneurs will increase women chances to work but also to create jobs for other female workers.

Agency and Access to Justice

Jordan has made a number of notable reforms to its legal framework that could increase women’s agency if implemented effectively. In particular, Jordan has somewhat defied the global trend of inaction in improving agency over family issues. Recent reforms to the *Personal Status Code* provide some limited expansion of women’s rights, and should improve delivery of services benefitting women, such as alimony, child support and inheritance, which are of particular importance to poor women. The establishment of a special institutional structure for addressing domestic violence is a major innovation for the region. The implementation of quotas has raised women’s participation in parliament and municipal councils. Proper resources need to be dedicated to implementation of these reforms to ensure impact. The GoJ has created some public space to discuss women’s agency issues, which is itself a positive step. For example, the reforms associated with amendments to the *Personal Status Code* followed a considerable period of public consultations. This model should be followed in future reforms.

Further legal reforms are needed to ensure greater equality and increased agency. A number of legal provisions continue to discriminate against women. These negatively impact women’s ability to control economic assets, their family and personal lives, and the ability to participate in social and political life. Further legislative reforms are necessary to establish a basis for greater equality by expanding the boundaries on women’s agency. Areas in need of reform include mandatory retirement ages, restrictions on working hours, access to family allowances, removing requirements for women to have male guardians, allowing women to pass nationality to spouses and children on equal footing with men, equalizing the grounds on which women and men can marry and divorce, closing gaps in legislation on domestic violence and allowing women to exert guardianship over children.

Women need greater control over economic assets. A number of economic assets are automatically available to men based on laws and regulations reflecting traditional views of gender roles, while complicated and time-consuming procedures are necessary for women to gain access. For example, male employees in the public and private sector receive financial benefits to support their families, while women need to prove they support their families in order to receive the same benefits. Rights to benefits need to be equalized, while the procedures for accessing them need to be simplified. Increasing women's labor force participation will improve access to economic assets, such as salaries and benefits associated with employment. Practical measures can be implemented to ensure more equal distribution of marital assets, for example by women stipulating the grounds for distribution in marriage contracts. The GoJ could also implement measures, such as awareness campaigns, to promote joint-ownership of land for married couples, and ensure newly-instituted protections for women's inheritance are vigorously implemented.

Improving services related to personal status issues can have a positive impact on women's agency and access to justice. The GoJ has instituted reforms to services covering personal status and family issues. These include simplified and expedited procedures for accessing alimony and child support payments, which can be considerable economic assets for women, especially those not participating in the labor force. A special alimony fund is to be established that will make direct payments to women, negating their need to commence long court procedures to receive benefits. If these services are implemented properly they have the potential to considerably expand the agency of women, particularly the most vulnerable. Ensuring women receive such benefits from former spouses may also allow for a reduction in the beneficiaries of the National Aid Fund.

Though improving, women's political participation is still lacking and requires additional government measures. Despite continued, slow progress, women remain considerably under-represented in national parliament, though they have made considerably more gains in municipal councils. Increases have been mostly dependent on established quotas, though women have slowly begun to win seats through open elections. Participation in government bodies and professional associations is also increasing, but women remain largely clustered in lower-level positions or in sectors deemed more socially appropriate for women. The GoJ needs to experiment more with mechanisms for increasing overall participation, while ensuring women are able to filter to higher-level positions.

Services supporting access to justice need to be better aligned with women's needs. Existing data shows women and men have varying needs in the justice sector, and use courts and lawyers differently. Women demonstrate considerably more need for services related to personal status issues, and face more difficulty accessing courts and using lawyers because of the lack of financial resources. Social norms are more likely to prevent women versus men from accessing courts, and women are more likely to make use of services offered by CSOs. Practical exclusion from court and lawyer services means women are less able to challenge the legal and social constraints on their exercise of agency. State-sponsored legal aid services, however, are available only in serious criminal cases. To benefit women, services need to be extended to cover civil and personal status issues. CSOs have begun to fill the gap in service delivery, and the government needs to integrate services better. Procedures for accessing legal aid and deferment of court costs need to be drastically simplified – at present they remain highly underutilized. And development of self-representation tools in Sharia and Ecclesiastical Courts will benefit women. Special attention needs to be paid to poor women, who likely face the most obstacles in accessing justice.

CHAPTER 1. INTRODUCTION

Objectives

Disparities in gender equality come with economic costs, shortchange the next generation, and lead to suboptimal institutions and policies. Studies show that progress in this area benefits everyone, not just women and girls. Economies thrive; women, men, girls, and boys have access to equal opportunities; and communities prosper when women and men are equally empowered.⁶

The Jordan country gender assessment (CGA) has two primary objectives. The first is to assess gender imbalances in the areas of economic participation (in the labor market), agency, and access to justice; provide a framework for policies or interventions to the Government of Jordan (GoJ) on addressing imbalances; and provide a basis for implementing the activities included in the Gender Action Plan (GAP). The second objective is to develop and strengthen partnerships with GoJ agencies, CSOs, and academic institutions to promote collaboration on addressing gender-related issues impacting development, and in particular to develop mechanisms for cooperation on implementation of the GAP.

This CGA will further explore, in the Jordan country context, the argument that progress in human development has not yet led to consistently higher women's participation in economic, political and social life, which in turn has slowed women's economic participation. As such it will include economic participation, agency and access to justice as core areas of focus. The major revisions to the *Personal Status Code* in 2010 and adoption of the *Family Protection Law* in 2007 will inform the discussion of the latter two topics. The issue of equal protection under the law and social impediments to exercising rights will be a cross-cutting theme for each topic, addressing areas where laws, and their implementation, are perceived to have a negative gender impact. The CGA 2013 also includes an analysis of the institutional framework for developing and implementing gender-related policies.

Economic Participation

For the purposes of the CGA, the topic of economic participation in the labor market will include female participation in the labor force as employees in the public and private sectors, their actual and potential labor force participation rates, unemployment and underemployment, gender gaps in wages and benefits, and horizontal and vertical job segregation.

Agency & Access to Justice

As defined in the World Bank's 2012 World Development Report: Gender Equality and Development,⁷ agency is defined as an individual's (or group's) ability to make effective choices and to transform those choices into desired outcomes. Taking into account the Jordan country context, the CGA will address agency issues under the following categories:

- *Control of Economic Assets*: measured by the ability to own, use and dispose of material assets
- *Family and Personal Life*: the role of women in the family
- *Voice in Society and Policy-Making*: participation and representation in formal politics and engagement in collective action and associations

⁶ <http://www.worldbank.org/en/topic/gender/overview>

⁷ WDR 2012: Gender Equality and Development. The World Bank. 2012.

There is no single, agreed definition of ‘access to justice’. Broadly, it refers to the ability of persons to effectively enforce rights and achieve redress for complaints. In this context, access to justice will cover: legal framework establishing rights and the procedures for enforcing them; public awareness of rights and the means to enforce them; and effective delivery of services by justice sector institutions. The issue of access to justice is linked to that of agency – whereas agency helps define the legal and social boundaries of rights and practices, the concept of access to justice covers the tools and mechanisms aiding persons in exercise of rights. To date, no general comprehensive assessment of access to justice has been undertaken in Jordan. The CGA will take a technical approach by focusing on the delivery of services associated with promoting access to justice.

Given Jordan’s level of development and the investments made in the past in human capacity development, women’s participation in the economy and the reduction of gender disparities can contribute to a higher level of welfare for families and the economy as a whole. As the mandate of the World Bank is poverty reduction and economic development, the CGA aims to highlight the way gender imbalances impact poverty and economic growth and the consequences of limiting such advancement.

Background

Over the last three decades Jordan has made substantial investments in its human resources, spending more than 10 percent of GDP on health and education. Like their male counterparts, women and girls have benefitted from these policies and their quality of life has improved. Female school enrollments have risen across all income groups. Child health indicators such as immunization rates and infant mortality have improved. Fertility rates have declined as well, improving women’s health.

Between 1980 and 2010, literacy rates for youth females rose from 55% to 99%, and female life expectancy rose from 66 to 75 years, compared to a rise from 63 to 72 years for men. However, the education system sustained stereotyped gender roles and directed girls to professions perceived as appropriate. Social attitudes limited the role of women in economic, social and political life, while legal provisions limited equal access to some economic assets, such as pensions and social security benefits. Improvements in human development indicators and steady economic growth notwithstanding, women continue to lag in key dimensions of economic, social and political life. Women’s participation in the work force has continued to remain low, as has representation in political and civic institutions. Despite some improvements inequalities in terms of women’s agency continue.

Based on the 2005 Country Gender Assessment, economic participation of women in Jordan ranked consistently lower than other lower-middle-income countries, despite improvements in women’s health and education. Labor force participation remained low, with estimates ranging from 12-26% and falling further for married women. This low rate was partially explained by: relatively high fertility rates; gender-based wage and non-wage discrimination; underemployment; unemployment, especially among the highly-educated; high prevalence of occupational segregation; and limited participation in the private sector.

Laws reflecting societal attitudes limited the role of women in economic, social and political life. Political participation in parliament was on par within MENA but below the average for comparable lower-middle-income countries. Female voice and representation in decision-making remained low, despite efforts to increase participation. Labor laws restricted areas employment for women and the times women perform work. The strategic approach for addressing gender gaps was inadequate to ensure issues are systematically included in policy, planning and implementation processes.

Gender Policy Development

Since 1999 the Government of Jordan (GoJ) has been developing policies that promote gender equality and aim at improving the economic, social and political lives of women. The first such policy was the Economic and Social Development Plan for 199-2003, which aimed to prevent discrimination and violence against women, and to promote equal roles for men and women in sustainable development. This was followed by the National Agenda 2007-2017 and the 'We Are All Jordan' Initiative, launched in 2006. The former stressed addressing discrimination against women and restrictive social norms, increasing women's economic participation, ensuring greater participation in elected and other decision-making bodies, and promoting women as equal partners in development. The latter involved a number of direct public consultations to identify the most urgent development needs, which included: more active participation of women in the political life; developing programs to empower women at the economic, political and social level; eliminating discrimination in school curricula; increasing women's access to finance through microfinance organizations and other sources of funds; and increasing women's workforce training and removing regulatory constraints that hinder women's labor market participation.

The only gender-specific policies developed have been the National Strategies on Women, the first covering 2006-2010 and the second covering 2013-2017. Both were developed by the Jordan National Commission for Women (JNCW), the quasi-governmental body responsible for developing and coordinating gender policy in Jordan. The 2013-2017 National Strategy on Women was endorsed by the Cabinet in January 2013. It was developed using a participatory approach, and was based on a review of the achievements and shortfalls of the 2006-2010 Strategy. Its primary aims include: increasing women's participation in policy development and decision-making bodies, with a target set at 30%; improving economic participation; directing social norms to support women; promoting gender equality in legislation, policies and government programs; building on the achievements of the women's movement; developing gender-specific data to inform reforms; leveraging the role of civil society in improving women's empowerment and access to justice; and utilizing IT advances to benefit women. The 2013-2017 Strategy also contains key performance indicators, which had not been included in the earlier study. While it covers a broad scope of issues related to gender, the 2013-2017 Strategy is not linked to government funding so the activities under its pillars remain mostly unfunded. Lack of funding and monitoring and evaluation have undermined the impact of previous strategies.

Institutional Framework

The institutional framework for coordinating gender issues in Jordan is comprised of the JNCW, the Gender Unit of the Ministry of Planning and International Cooperation (MoPIC) and Gender Units established in seventeen line ministries and government agencies. JNCW, established in 1992, is mandated with improving the status of women by enhancing their economic, social and political participation and defending their legal rights. It is comprised of members representing ministries, other government entities, civil society organizations, academic institutions and the private sector. Its mandate is implemented by: developing and monitoring implementation of the National Strategy on Women; advising government entities on gender issues related to their work; advising on existing draft legislation and regulations from a gender perspective and monitoring implementation of policies and legislation; strengthening knowledge exchange at the national, regional and international levels; drafting analytical reports on key gender issues; and representing the government in relevant forums. JNCW contains several committees that coordinate activities on priority areas such as strategy implementation across government agencies, violence against women, and media and communications. Other committees provide capacity-building support to female members of municipal councils and review and recommend revisions to legislation negatively impacting women. The primary obstacle faced by JNCW is that despite being a quasi-government body, its work is not directly linked with the national budget and it receives only minimal financial support.

The Gender Unit at MoPIC was established in 2005 under the Policies and Strategies Department with a mandate to: integrate gender policies with Jordan's development program; build capacity within MoPIC to address gender issues; strengthen cooperation among entities responsible for development programs to address gender concerns; and advise donors on programs supporting gender matters. It has in the past conducted gender analysis of government policies, such as the National Agenda, and provided input to ensure gender issues are addressed. It has also developed a mechanism for compiling and analyzing gender-specific data. The Gender Unit is small, with only two full-time staff, and is supported primarily with grants from international donors. It works with other government entities through a system of liaison officers, which are currently present in seventeen ministries and agencies. The role of the liaison officers is to act as a link between their entities and MoPIC on gender-related issues. As such, they are responsible for participating with MoPIC in preparing studies and strategies related to gender, integrating gender issues within the work of their organizations and providing the Gender Unit with information it requests related to gender.

World Bank Partnership

The World Bank currently provides support to a number of programs aimed at addressing gender imbalances in economic and social life, and improving access to justice. A number of other donors also finance programs focusing on gender issues. (Annex 3) The primary World Bank programs include the following:

Employment for young women graduates (Jordan Now)

Jordan NOW is a pilot program aimed at increasing labor force participation of recent female graduates by (i) providing job vouchers for six hundred young women, which provides private sector firms a subsidy for hiring recent female graduates and allows for a period of time for the firm to observe their work and hopefully maintain their employment after the subsidy lapses; and (ii) provides skills training to six hundred recent graduates in basic job skills that employers identify as key to hiring them.

Measuring the Impact of National Policies and Strategies on Gender Equality

The program aims to establish a national data system for the compilation and analysis of gender-relevant data. A manual on gender sensitive indicators was designed to increase the availability of gender-specific data. A Gender-Based Monitoring and Evaluation Committee (GME) was established at MoPIC. It differs from the Network of government gender focal points in that it includes members from civil society institutions, from the central parties that oversee the private sector (banking, food, and pharmaceuticals); as well as the Southern Health Centre, which provides health services to women in the Southern area of the Jordan, the National Council for Family Affairs, and the Women's Committee of the Supreme Council for the Affairs of Persons with Disabilities.

Enhancing Community-Driven Development of Legal Aid Services

Funded by the Japan Social Development Fund, the program supports the delivery of legal aid services (information, counseling and legal representation) to poor communities through civil society organizations. While not necessarily directed towards women, the caseload of the Justice Center for Legal Aid, the implementing partner, demonstrates that women are roughly seventy percent of the beneficiaries, primarily needing assistance in personal status issues.

Programmatic Economic Sector Work - Social Insurance

This analytical work has covered different aspects of social insurance. One note examines the regularity of contributions along worker's careers using records of the Social Security Corporation, concluding that a large number of contributors do not complete the minimum years required to receive a pension, pointing towards gaps in coverage in the legal framework. Another note assessed the perceptions and attitudes of key actors on sensitive issues such as the introduction of maternity and other benefits.

Scope

Since the CGA 2005, a number of reforms have taken place in Jordan. The GoJ continues to promote labor force participation by women, and plans to begin enforcement of childcare requirements to increase women in private sector employment. Changes in the *Elections Law* and the *Personal Status Code*, as well as the social security framework, may help to address gender disparities. Already the number of women in the National Assembly has increased to eighteen, with three women winning seats outside of the established quota. A legal and institutional framework has been developed to better address domestic violence. The GoJ recently adopted the 2013-2017 National Strategy for Women, drafted by the Jordan National Commission for Women. It contains activities related to the social, political and economic participation of women, as well as to guaranteeing fundamental rights and non-discrimination.

Despite these reforms, the general sense in Jordan is that progress in women's economic participation and issues related to women's agency and access to justice continue to lag behind achievements, as captured in the study *Opening Doors* (2013), which identifies the key issues related to gender imbalances in economic participation. It offers the argument that the MENA region exhibits a gender equality paradox – regional progress in closing gender gaps in education and health outcomes has not yet translated into commensurately higher rates of female participation in economic and political life.⁸ In the regional context higher levels of education and lower fertility rates are leading women in the region to look increasingly for employment. The public sector has long been the dominant source of employment for women, but as expanding public sectors become less sustainable, employment in the private sector continues to lag. A number of issues continue to hamper increased labor force participation of women, and issues related to agency and access to justice provide further obstacles to improvements in economic, social and political life. The key findings outlined in *Opening Doors* 2013 are equally applicable in Jordan.

Women's labor force participation remains low, especially within the private sector, due to a combination of economic and legal factors as well as gender norms. Legal barriers and gender norms persist in slowing increased gender parity related to issues of agency and access to justice. The question to be explored in the CGA 2013 is to what extent improvements in women's economic participation and agency continue to lag behind advances in human development, and explore the primary reasons why. In doing such it will address, in the Jordan context, the argument raised by *Opening Doors* (2013) that the region's conservative gender norms, legal and institutional frameworks, and the incentives and opportunities generated by its economic structure are key to the puzzle of low rates of female participation in politics and the economy.

Structure of the Report

The CGA starts with an analysis of the various gender specific legal and institutional obstacles inhibiting economic participation in the private and public sectors. It will also analyze the capability for employment, access to unequal access to entrepreneurship opportunities, and continued consequences of

⁸ *Opening Doors: Gender Equality and Development in the Middle East and North Africa*, World Bank (2013). p. 3.

women's limited economic advancement. The next chapter will examine agency issues affecting gender equality, such as social, legal, and economic barriers and what can be done about them. This will also include an analysis of recent improvements in the legal code (Personal Status Code and Family Law). The following chapter will focus on access to justice including obstacles faced by the poor, and in particular poor women and the extremely vulnerable (female heads of households, domestic workers, and refugees), as well as the tools and mechanisms aiding persons in exercising their rights, and attempts to improve the justice sector to better serve women; and a policy and institutional analysis of gender work within the public sector. Finally, the CGA report reviews various initiatives and World Bank–financed projects and analytical work to identify strategic entry points for action and priority policies to aid in the preparation and consultations of the gender action plan.

CHAPTER 2. WOMEN'S ECONOMIC PARTICIPATION

Overview

The rate of economic participation for women in Jordan is among the lowest in the world, in sharp contrast with the impressive achievements of the country in terms of human development over the past three decades, demonstrating the puzzle of improvements in human development not translating into increased economic participation. Over the past three decades, Jordan has made substantial investments in its human resources. Women and girls have benefitted from such policies at great extent. Today, Jordan exhibits remarkable equity in health and education outcomes, with low and declining maternal and excess female mortality, and with a 90 percent gender parity in literacy. It is one of few countries in the MENA region to show a “reverse” gender gap at tertiary level of education. These achievements, however, have not been matched by commensurate increase in women's economic participation. Jordan's female economic participation rate remains among the lowest in the world, at 22 percent, about a fourth of that for men (at 87 percent). The inactive population is overwhelming represented by women with low levels of education (of whom only 10 percent or less joins the workforce). When in the labor force, women face very high unemployment rates (20 percent versus 9.5 percent for men), particularly among young and highly educated women. These figures point to a large untapped pool of resources that are not utilized in the economy.

Gender-related bias in the economic structure of employment and production tend to distort women economic participation in the labor force. Women have not participated in the benefits of higher growth in the past decades. Highly segmented labor markets prevented them from working in high growth and high productivity sectors. While only one woman over four participates to the labor force, 44 percent of working women are employees in the public sector. Evidence seems to suggest that barriers to economic participation start with women's educational attainment: in Jordan there is a clear disconnect between the skills and education that women acquired and the skills requested by employers, particularly in the private sector. Women are perceived as less productive than men and they also face significant restrictions to become entrepreneurs. These barriers are also related to preference and social norms, which lead to the perception of public sector as the only “socially acceptable” employment for a woman as well as constrain women mobility, geographically and beyond (for instance reducing the ways women might look for a job). They are accentuated by the way economic incentives are currently designed: generous compensation schemes in the public sector for instance distort women choices in the labor market. All these factors are reinforced by the lack of adequate institutions or legislation supporting the active insertion and participation of women to the economic life of the country.

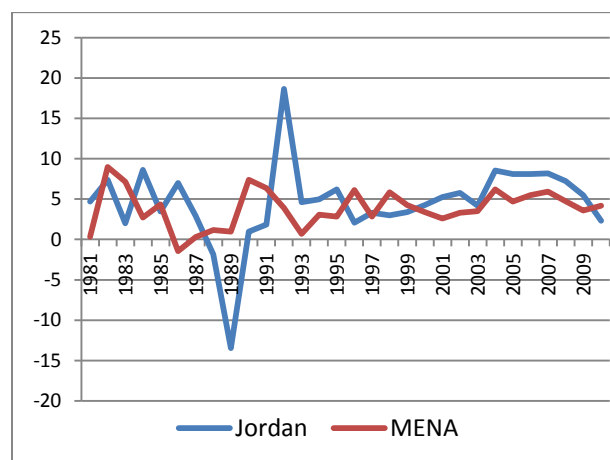
The gender paradox in Jordan

In the past decade Jordan saw robust economic growth consistently above the average for MENA region. Economic growth averaged 6.7 percent for over a decade (against 4.5 percent for the MENA region), before slowing down to 2 to 3 percent in 2009 and 2010 as a consequence of the global financial crisis⁹. Large FDI inflows and substantial improvements in productivity were the driving force behind this performance. The rise in productivity was not driven merely by greater capital utilization. Rather, as explained in the Jordan most recent DPR (2012), it reflected a real improvement in the efficiency and

⁹ During the recent global financial crisis in 2009-2010 growth fell much more sharply in Jordan, stopping the accelerated growth spells observed since 2004. This sharp decline in growth since 2009 is a sign of Jordan's weak growth sustainability, due to its strong ties to the Gulf economies (see Jordan DPR 2012). Despite the economic slowdown, Jordan regained its upper middle income status in 2010 (GNI per capita of US \$4,340 in 2010.), lost after its GDP per capita dropped for about a decade following a severe fiscal crisis in 1989.

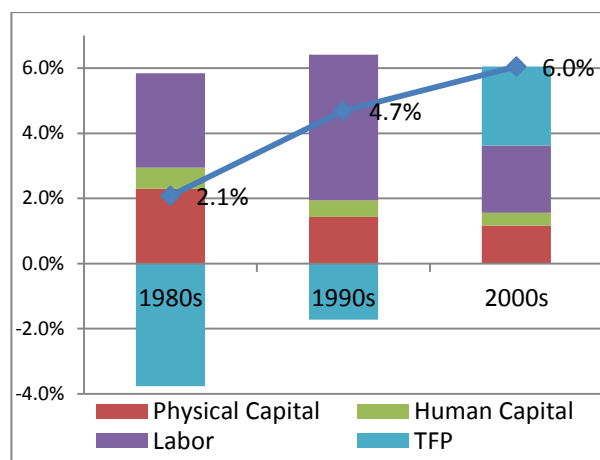
organization of production in the private sector, linked to greater openness to trade and FDI, privatization of backbone services (telecom, transport, etc.) and other structural reforms¹⁰. It was also entirely driven by within-sector productivity progress. Thus there exists a large potential for further productivity increase from the movement of labor from low to high productivity sectors¹¹.

Figure 1. GDP growth Jordan and MENA



Source: WDI

Figure 2. Jordan- GDP growth decomposition



Source: authors' calculation from various sources (WDI, Lee and Barro, ...)

High growth allowed substantial investments in health and education. Benefitting from high growth, over the last three decades Jordan has made substantial investments in its human resources, spending more than 10 percent of GDP on health and education. Like their male counterparts, women and girls have benefitted from these policies and their quality of life has improved. As in most other MENA countries, Jordan exhibits remarkable equity in health and education outcomes at the household level. Maternal mortality is low and declining, as is excess female mortality. Female life expectancy rose from 66 to 73.6 years, compared to a rise from 63 to 70 years for men. From a large imbalance in the beginning of the 1980s, within three decades Jordan has closed gender gaps in school enrollment at the primary and the secondary level; at the tertiary level more girls than boys are enrolled (**Figure 3. Female-to-Male Enrollment Ratios: MENA Countries, 1975-2010**Figure 3).

Between 1980 and 2002, literacy rates for adult females rose from 55 percent to 86 percent. Today, Jordan's 90 percent gender parity in literacy placed it among the top five MENA countries. Jordan is also one of the 8 countries in the MENA region to show a "reverse gender gap" in education at tertiary level, with more women than men attending university. While challenges remain, (according to the World Development Indicators 2011, Jordan is among the 7 MENA countries¹² with the highest gender gap in completion for tertiary education), these remain important achievements.

¹⁰ Such as improvements in intellectual property rights in the pharmaceutical sector

¹¹ Women's participation to high productivity sector has been very low. Allowing and encouraging women to join these sectors would help achieve a better allocation of resources and further boost growth.

¹² Together with UAE, Egypt, Iran, Jordan, Morocco, Syria, Tunisia

Figure 3. Female-to-Male Enrollment Ratios: MENA Countries, 1975-2010

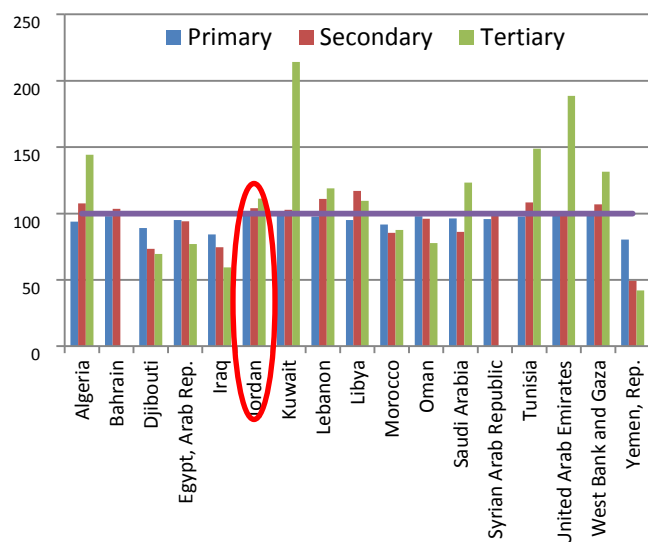
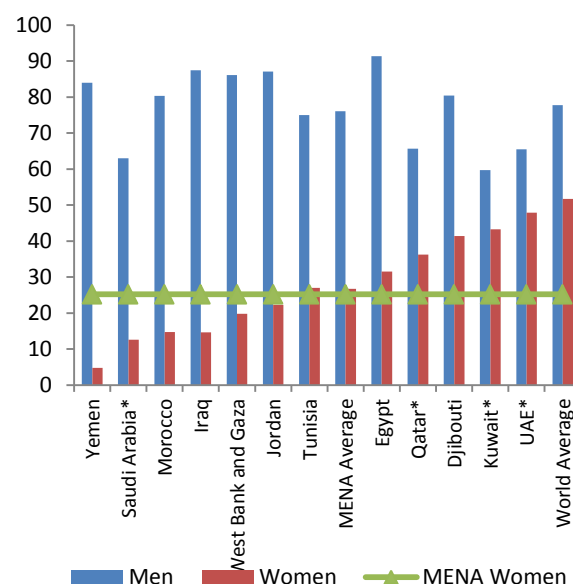


Figure 4. Female and Male Labor Force Participation across MENA

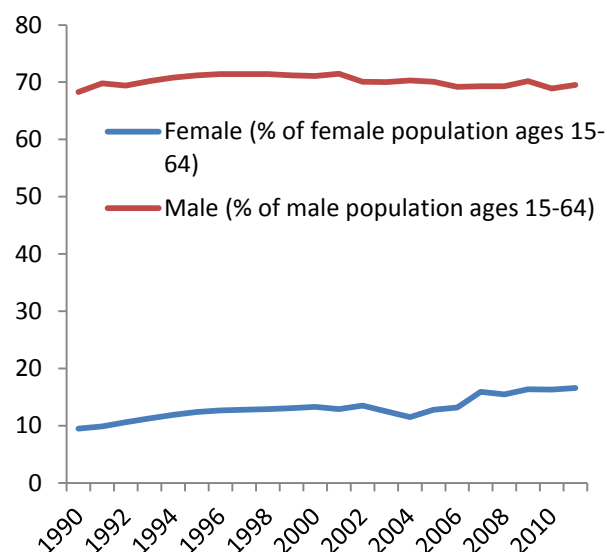


Source: WDI 2011, World Bank multiple years (taken from Opening Doors 2013)

The gains in human development have not been matched by a commensurate increase in women's economic participation. Low labor force participation among women continues to be one of the most conspicuous features of Jordan's labor market. Even within the MENA region, where countries have some of the world's lowest female labor force participation rates, Jordan's participation rate lies in the bottom half, below the regional average of 25 percent. In 2010, the female labor force participation rate in Jordan was about a fourth of that of males (22 versus 87 percent). There rates are among the lowest in the world. The "puzzle" of the inverted relation between an impressive progress in human indicators and an excessively low economic participation for women (defined as a "gender paradox"), a feature of the MENA region, is even more striking in a country like Jordan.

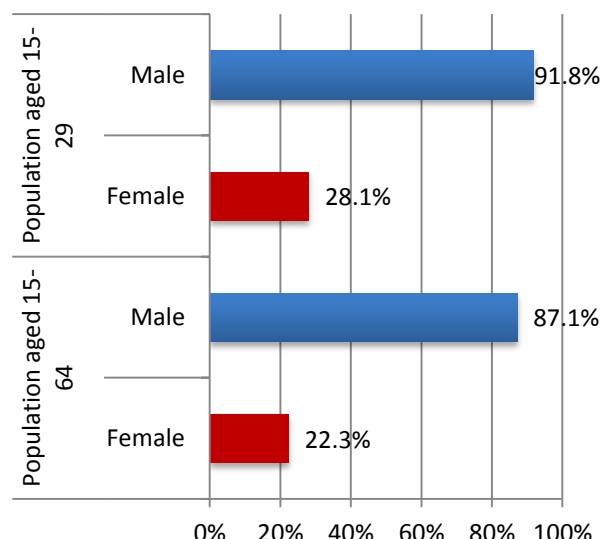
The pace of progress in Jordanian women's average economic participation witnessed a relative stagnation over the past decade, in sharp contrast with the pace of economic growth. The increase in women participation in the labor force was considerably slow given the positive economic performance and the impressive progress in human development indicators. It is even more striking if we consider the very low base it started from; according to WDI data, only 9.5 percent of the women in Jordan participated in the labor force in 1990. Despite many efforts directed toward enhancing women's role in the society and in the economy, there has been very little actual progress that took place on Jordanian women's economic participation over these years. In 2011, women represented less than 20 percent of the total labor force in Jordan. The 2010 WEF report on Gender Gap ranks Jordan 120th among 134 countries in terms of women economic opportunities, well below many other middle-income countries.

Figure 5. Evolution of Labor Force Participation in Jordan in the past 2 decades



Source: WDI

Figure 6. Labor force participation at the national level



Source: JLMPS

The inactive population is overwhelmingly represented by females with low levels of education¹³. Only 10 percent of women with little or no education join the labor force, regardless of their age group (Figure 5). On the other side, almost 70 percent of young female graduates and 50 percent of young females with post-secondary education join the labor force (Figure 7). These rates are only slightly lower for the older age group (Figure 8). In contrast, men participate to the labor force fairly in the same rates regardless of their education level.

Box 1. Data Sources

This chapter draws largely on data from the Jordan Labor Market Panel Survey (JLMPS) of 2010. The survey is the first wave of a panel survey that was carried out by the Economic Research Forum (EFR) with the cooperation of the National Center for Human Resource Development (NCHRD) of Jordan and the Jordanian Department of Statistics (DOS). The survey was carried out on a nationally representative sample of 5,102 households and 25,969 individuals. The JLMPS collects detailed information on a host of individual socioeconomic and demographic characteristics and with particularly detailed information on education and skills. An elaborate labor force survey, it collects individual level information on labor force participation status, sectors of employment, job benefits and wages, employment history, etc. Moreover, the survey gathers information on women's role in household decision making, access to financial resources, female mobility and attitudes to work outside the house, etc. Even the cross sectional component of the survey affords a rich analysis of women's role in the labor market in Jordan. The chapter also utilizes the 2006 Jordan Enterprise Survey of 503 firms to explore some basic demand-side aspects of the labor market and it draws on the World Values Survey's 2005 to 2007 wave for Jordan to examine perceptions of roles of women in society and in the labor force.

¹³ Thirty percent of the inactive population comprises students. The rest include —stay at home females (54%) and early retirees (16%). These two sub-populations hold the key for reducing the overall rate of economic inactivity (Jordan DPR).

Figure 7. Labor Force participation among population aged 15-29 by education category

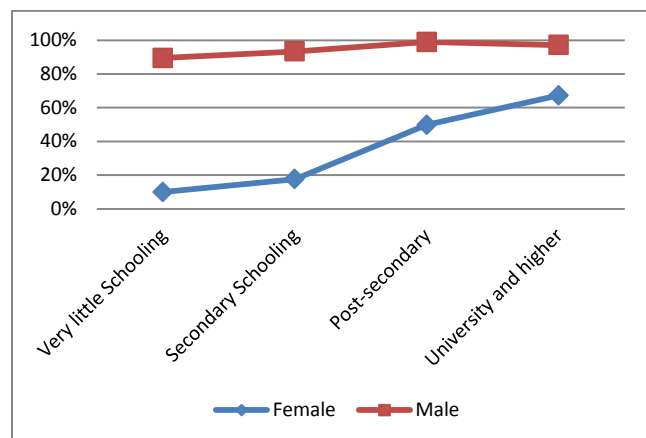
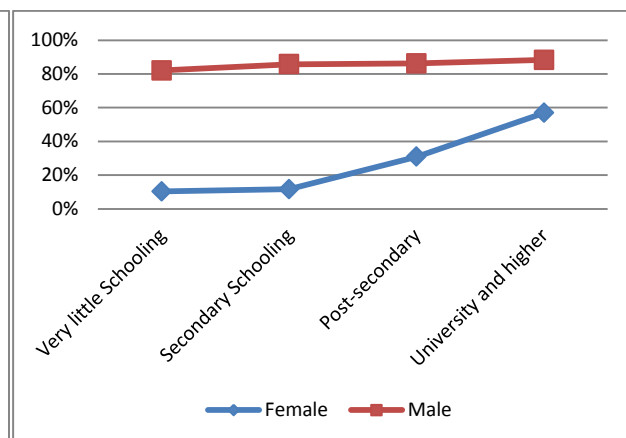


Figure 8. Labor Force participation among population aged 30-64 by education category

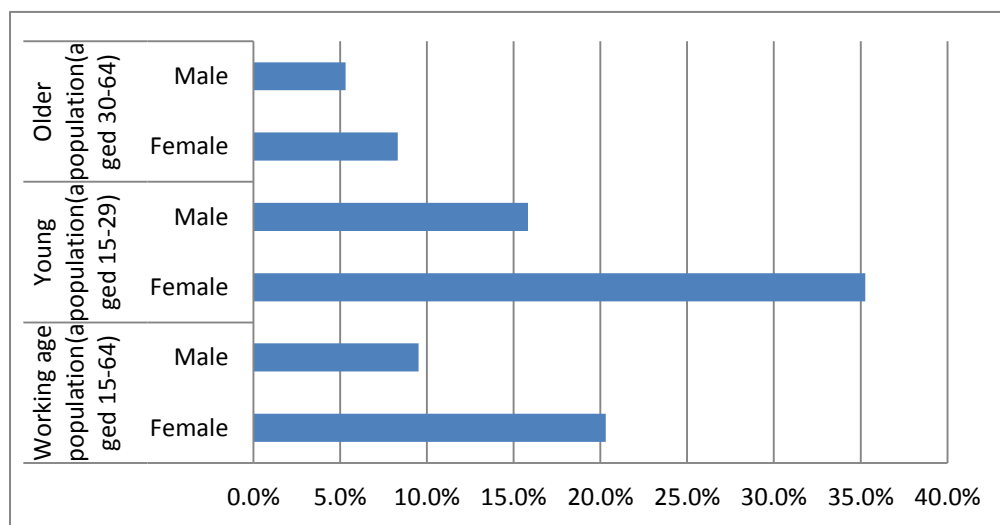


Source: JLMPS (2010)

Despite low participation, women experience very high unemployment rates (more than double than men). Periods of strong growth have not translated into strong job creation for Jordanians, leading many researchers to talk about a period of “jobless growth”¹⁴. As a consequence, Jordan unemployment rate, especially among youth, has remained in the double digits over the last decade (13 percent in 2012). This affects particularly women (Figure 9), who face unemployment rates double than those of men (20.3 percent versus 9.5 percent). Young women (age 15-29) in particular suffer from the highest rate of unemployment, at over 35 percent.

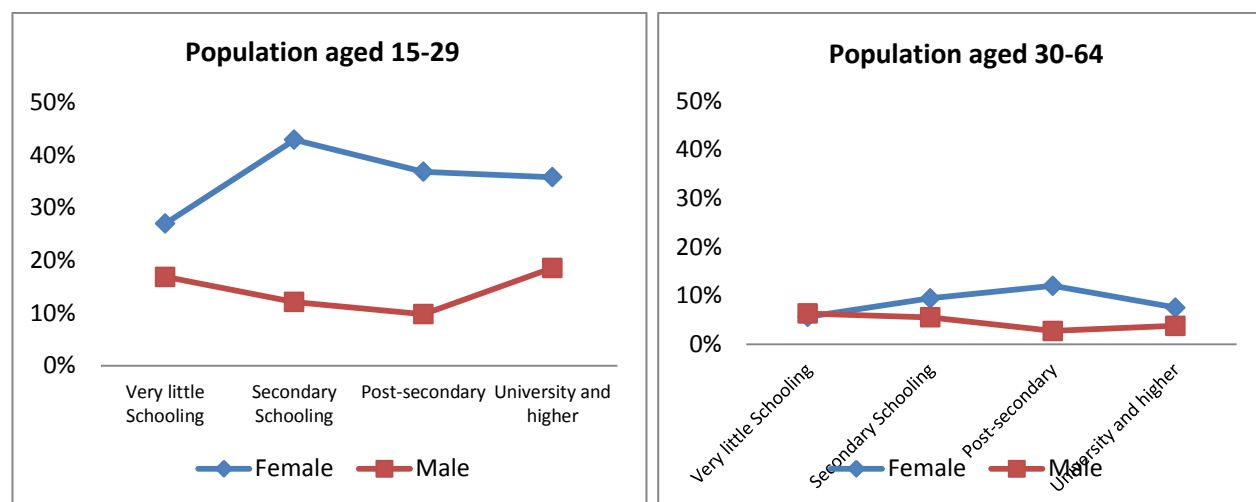
¹⁴ As explained in the most recent NES, one of the reasons for this employment “paradox” (jobless growth) is that most jobs created in the private sector went not to Jordanian workers, but to foreign workers (55% of jobs created between 2000-2008). Although the ratio of new jobs going to foreign workers has decreased slightly as a result of the global economic crisis, it remains high, especially in the context of large numbers of unemployed Jordanians with similar profiles and the risk of expanding the ranks of the inactive population (ILO, 2011).

Figure 9. Unemployment level



Unemployed females are overwhelmingly young and university graduates, contrary to unemployed men who mostly have little or no education. Over 20 percent of all unemployed females have diplomas or higher; among young women aged 15-29 this figure raises to almost 40 percent. Women with little or no education show a sharp difference in their unemployment rates by age group, with young women (15-29) facing unemployment up to 43 percent (Figure 10) and only 6 percent to 9 percent of women between 30 and 64 years of age being unemployed (Figure 11). The low level of unemployment among less educated women arises likely because, following an unemployment spell, they tend to get discouraged, stop the job search, and join the ranks of the inactive population. As for unemployment among university degree holders, this phenomenon could signal a mismatch between specializations and skills supplied and those demanded by the market. Indeed, the skills of women appear to be very distant from the ones businesses need (see section 3 below).

Figure 10. Unemployment rates (%) by education



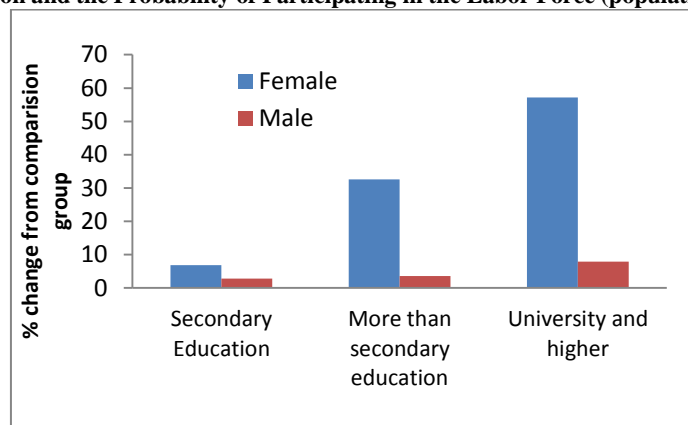
Source: JLMPS (2010)

A profile of active and working women

(a) Which women are more likely to join the workforce?

Educated women are more likely to participate in the labor force. A marginal effect analysis (table A.1 in the annex) shows that women with higher education have much higher probabilities of joining the labor force: women with post-secondary education and with university and post-graduate education are respectively about 32 and 57 percent likelier to be in the labor force than their less educated counterparts (Figure 11). This is reinforced by the fact that participation also seems to become more likely with age even though at a declining rate, meaning that probably being enrolled in post-secondary education is temporarily preventing women to join the workforce up to a certain age (when they actually earn their diploma).

Figure 11. Education and the Probability of Participating in the Labor Force (population aged 15-64 years)

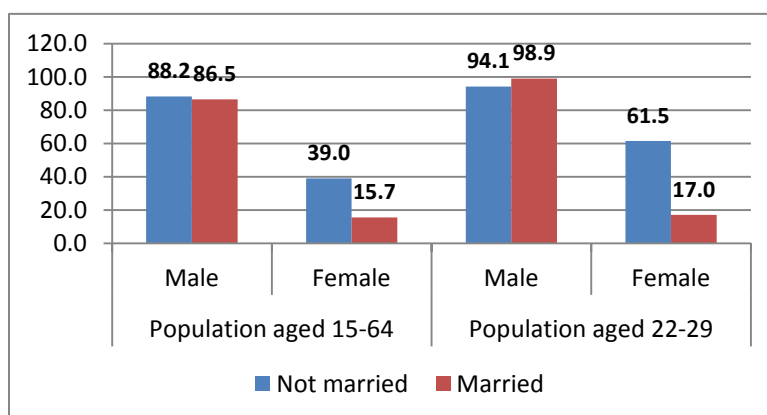


Source: JLMPS (2010).

Notes: Based on marginal effects in Probit estimation controlling for other characteristics. Comparison Group: No Education and basic education.

This positive relationship between women's work and education is consistent with the conventional hypothesis regarding unconstrained labor supply: less educated women have lower expected returns from labor force participation. As reported in the Jordan NOW pilot, young Jordanian women with community college or university degrees participate in the labor force in greater proportions than less educated women as they are more motivated to actively seek work and more likely to succeed to find a job. More educated women could also have a stronger preference for working outside home than less educated women.

Figure 12. Labor force participation rates by gender, age and marriage status



Demographic factors such as being married are also playing a large role, with married women being less likely to be in the labor force (contrary to men). The 'marital-status gap' in labor force participation (i.e., the relative difference in labor force participation between married and never married women) is about 24 percent, as shown in the marginal effects analysis. That same statistic is a mere 9 percent in the US and 14 percent in France. Among women aged 22-29, the marriage gap is even larger, suggesting that early marriage causes an even earlier exit from the labor market).

Strongly enforced social norms about a woman's role outside the home could be behind this marital-status gap. As highlighted in *Opening Doors: Gender Equality in MENA*, community sanctions can play a strong role in enforcing norms (for more details please refer to “”). This is reinforced by looking at the same profile of women outside Jordan. Not only are labor force participation rates among female immigrants from Jordan (and MENA in general) to the United States much higher, but that the marital gap is also much narrower. Furthermore, as shown in MENA WDR, an earlier exposure to a migrant's destination country's culture is strongly correlated with a narrowing of the marital gap. This suggests that in an environment with job opportunities, greater mobility and limited social sanctions, married women are better able to translate their aspirations into reality. These findings to the important influence of deep-rooted social norms rooted in traditional views of gender roles. In terms of labor force participation, these norms reinforce the views that married women maintain the household while married men work, and that women, particularly married women, need to be protected from certain types of working conditions. These social norms in turn can influence and be reinforced by legal constraints to mobility and agency, which will be discussed further in Chapter 3.

(b) Which women are more likely to face unemployment?

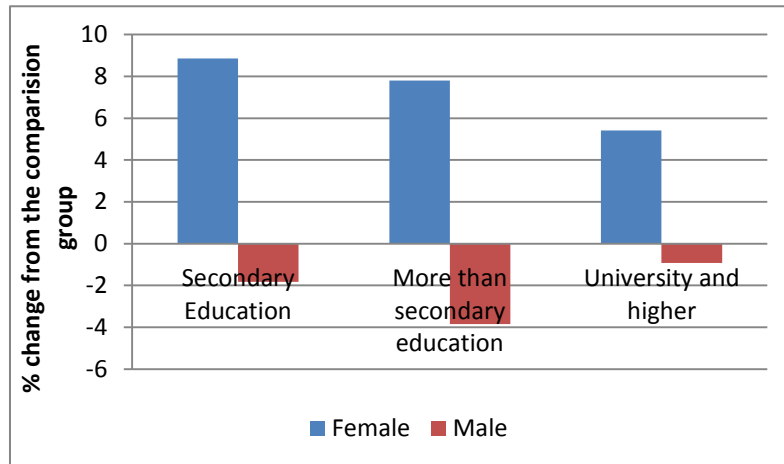
High rates of unemployment can be determined by several factors: the existence of high barriers to entry in the labor market might be a major obstacle to young women finding jobs. Additional obstacles seem to add to these entry barriers in later stages of life, preventing women to maintain their job. The next section will present a detailed analysis of some of the factors that might be behind observed unemployment rates and patterns. Here we present a profile of unemployed women built on a marginal analysis of the probability to be unemployed based on the most recent labor force survey (2010).

Women with higher education are more likely to be unemployed. Vulnerability to unemployment rises with the level of education for women (men with higher education are less likely to be unemployed). As observed before, highly educated women are more likely to join the labor force but at the same time experience the highest level of unemployment. This can potentially be linked with their higher reservations wages, their preference for public sectors jobs (as shown later) or the presence of both economic and social barriers to their entry in the private sector, both as employees and as entrepreneurs. Occupational segregation¹⁵ in particular seems to be behind these extremely high rates of unemployment, as we will see later. The probability of being unemployed decreases with age (while it does not appear to be affected by the marital or parental status of the women; unemployment is essentially a youth phenomenon). This masks the fact that women might simply leave the labor market after failing to find a suitable job after a certain age¹⁶. Female youth unemployment has long lasting consequences. If a woman can't find a job within a couple of years after graduating, she'll likely never work (Jordan NOW). According to data from JLMPS, only 7 percent of women who ever worked found their job by the time they were 30.

¹⁵ Gender-based segregation is considered one of the important economic challenges that should be addressed, since it has the potential of pushing many women to working in crowded sectors, controlled by women in lower salaries, in addition to its negative influence on incorporating women in various economic activities, which leads to reducing the level of female economic participation. According to the Duncan Scale of 0.44, Jordan shows a higher reading for occupational segregations than the average in the MENA (Middle East and North Africa) region, amounting to 0.34. (source: Progress of Jordanian women).

¹⁶ See below discussion on discouragement in section 3.

Figure 13. Education and unemployment (population aged 15-64 years)



Source: JLMPS (2010). Comparison group: women with little or no education

(c) *Where do women work?*

Women in Jordan work in a narrow set of jobs, hinting at sharp gender differences in women’s preferences over or access to jobs. A preliminary analysis of the JLMPS data gives a picture of clustering around very few sectors, the most dominant being education (by far the likeliest destination sector) and human health/social work activities. Also, women are highly concentrated in the public sector, with 44 percent of them working as public employee. For men the concentration is also quite (34 percent), although lower than for women. However, access to employment in the public sector seems to be differentiated among men and women, notably in terms of education attainments: most of the women working as public sectors employees are highly educated (57 percent holding a university degree or higher) while almost half male public employees have very low levels of education. There are also differential hiring patterns between the public and private sectors: women make up about 21 percent of public sector employees but only 15 percent of private sector employees.

Both “pull” and “push” factors seem to contribute to the asymmetry in public and private sector placement (as identified in the most recent Jordan National Employment Strategy). Females are attracted to public sector jobs in the social fields (mainly health and education) and by the fringe benefits including job security, shorter working hours, and health insurance and social security benefits. As for the private sector, there is a strong “push” factor represented by longer working hours, limited or no health insurance benefits (more in large private enterprises and much less in medium, small, or micro); and until recently, no social security benefits in enterprises with fewer than five workers¹⁷.

¹⁷ While the Labor Law stipulates that employers shall cover ten weeks of wages for maternity benefits, the reality is that most private employers avoid this cost either by not hiring females to begin with, or by hiring them and then firing them when they get married or pregnant.

Figure 14. Share of employment in the public sector

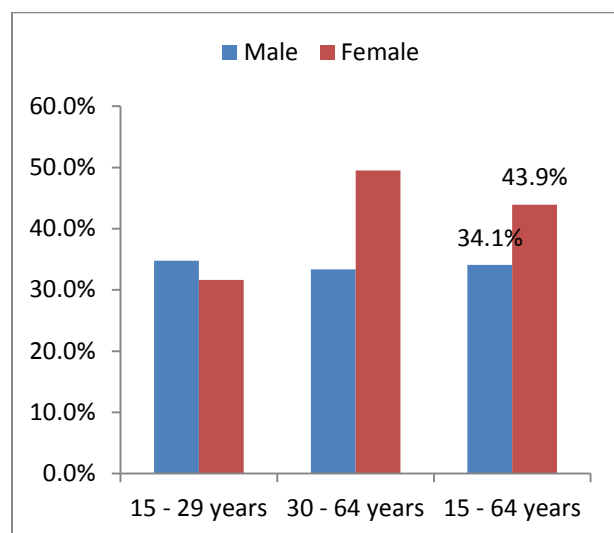
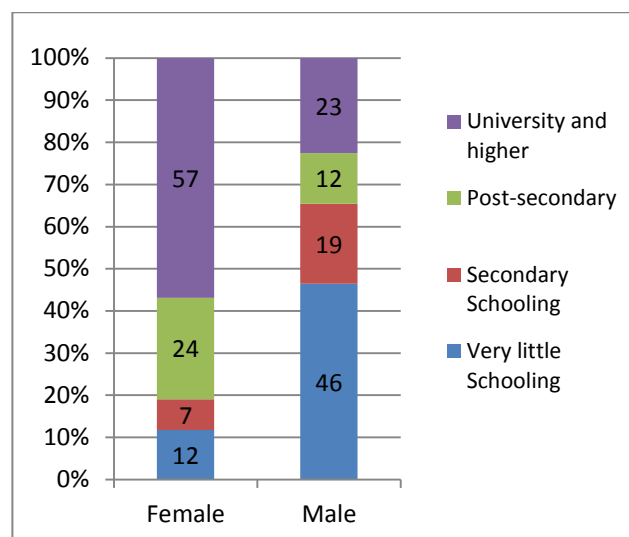


Figure 15. Education level of public employees

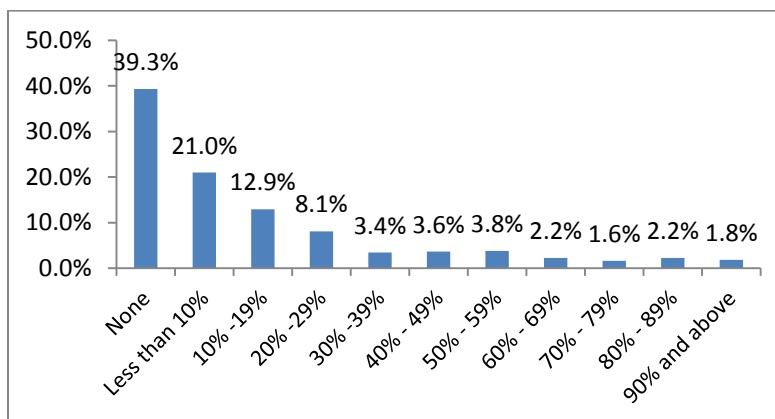


Source: JLMPS (2010)

The 2006 Jordan Enterprise Survey data from firms adds to the picture of segmentation. The distribution of female employment across firms and industries is markedly uneven. About 60 percent of firms have less than 10 percent employees who are female (**Error! Reference source not found.**). Only a small et of manufacturing firms (about 12 percent) have a female employee share of more than 50 percent.

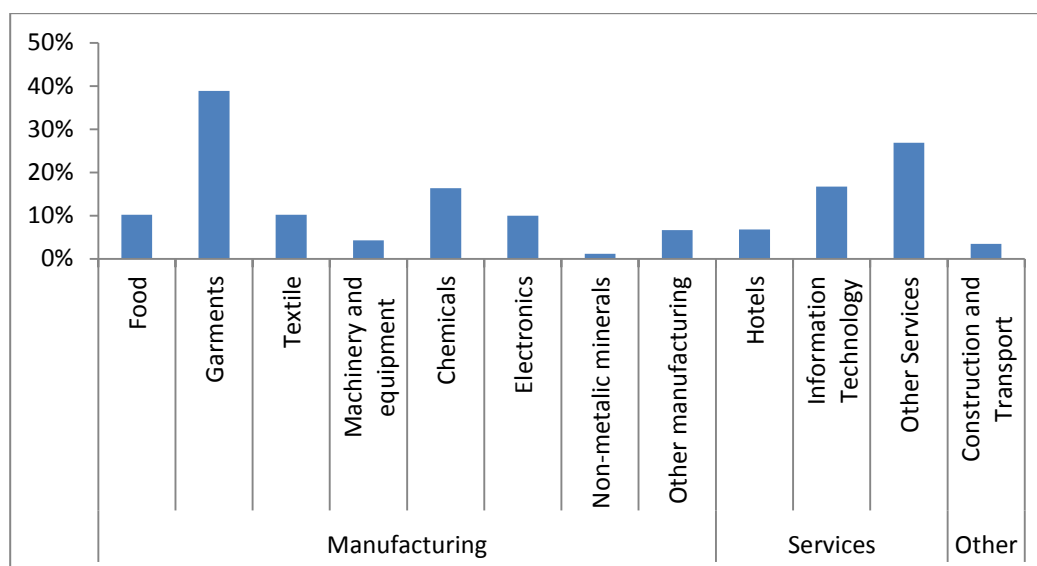
At the same time, most industries have very little female employment, while only a few such as garments are notable in their concentrated levels of female employment (see Figure 17 below). Women could be concentrating in these firms because these firms provide a better environment for female employees, because of network effects in employment (women helping women get jobs), or because these are in sectors in which women have a comparative advantage.

Figure 16. Distribution of firms by female employees



Source: Jordan Enterprise Survey (2006)

Figure 17. Distribution of Female Employees (%) by industry



Source: Jordan Enterprise Survey (2006)

Table 1. Female Ownership of firms and Share of female employment by ownership type

Ownership type	Share of firms	Female intensity (% of employees female)
No Principle Owner is Female	85.3%	15.8%
Female is among Principle Owner(s) but not largest shareholder	11.1%	20.0%
Largest Shareholder is Female	3.6%	25.8%

Source: Jordan Enterprise Survey (2006)

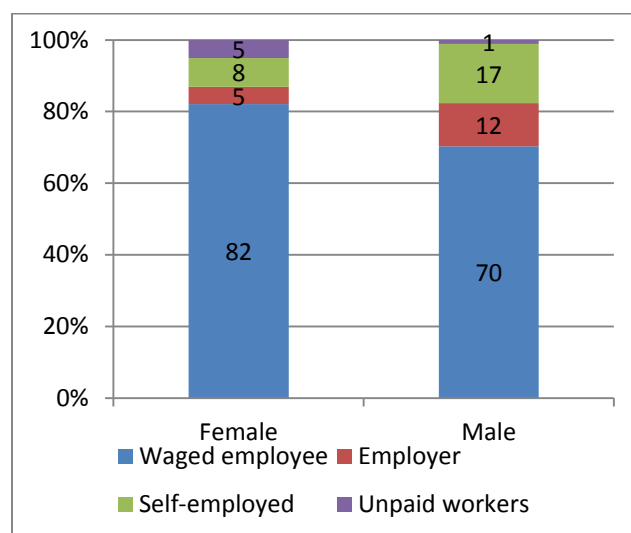
Females remain underrepresented as business owners.

According to the Enterprise Survey (2006) only 3.6 percent of firms in Jordan have a female as the largest shareholder, while for another 11 percent a female is among the principle owners of the firm; the remaining 85 percent firms have no females among principle owners.

Firms with female-ownership do tend to hire more women as workers: female workforce makes up over 21 percent of the workforce in female-owned firms, compared with less than 16 percent in male-owned firms (even more so- 26 percent- in firms where a women is the largest shareholder). However, caution is recommended in interpreting these numbers, as female intensity may be linked to industry specific attributes rather than to gender of ownership. Nevertheless, female firms also employ a higher share of female workers at professional and managerial levels, pointing to their potentially strong role in absorbing the growing female labor force. Finally, the most recent Enterprise Survey in Jordan shows that there are

only small differences in labor productivity and sales between male and female-owned firms. This is an important point (as pointed out in the MENA companion to the WDR), as it defuses the common perception that women are not prepared or effective in managing a business. The presence of female ownership, however, remains too low for this to make an impact on the aggregate numbers. Evidence from household survey data, reinforces low levels of female entrepreneurship. For example, as Figure 18 shows, women are mostly wage earners, with only 13 percent being employers and or self-employed whereas among men the figure is about 30 percent (JLMPS 2010).

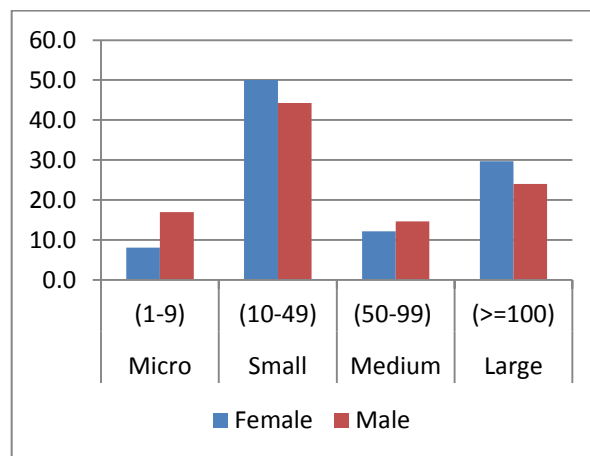
Figure 18. Private sector employment by sector



Female-owned firms appear to be larger in size and as productive as the male-owned ones, contrary to widespread perception. Of the female-owned firms surveyed, only 8 percent had less than 10 workers (against a regional average of 18 percent). Indeed in Jordan female owned firms, while very few, appear to be larger in size (Figure 19). More than 40 percent were in medium to large firms employing more than 50 workers. These firms also appear to be as well established firms as the male-owned ones¹⁸ and to be actively managed by their female owner and not just formally owned.

¹⁸ Female-owned firms surveyed in the context of the regional WDR were as well-established as the male-owned firms [female-owned firms were on average 21 years old, compared to 20 years old for male-owned firms on average for the region].

Figure 19. Firms size by gender of owner



Source Jordan Enterprise Survey 2006

Factors behind Women's Weak Economic Participation

A key question the proposed analysis will aim to answer is why Jordan's female participation in the workforce is so low. There are multiple potential explanations involved, encompassing issues such as gender norms, the legal framework and the structure of the economy. Each factor could influence the incentives, preferences, opportunities, and abilities of women to participate in the economic life. Chapter 3 of this report will assess the role of laws, regulations and social norms in restricting women's agency, which in turn negatively impacts labor force participation. Restrictions on agency can manifest themselves in women being unable to exercise choices in participating in the labor force. In turn, exclusion from the labor force prevents women from obtaining economic assets in the form of incomes and related benefits, which would otherwise be useful in terms of women exerting further control over their own lives. This chapter will try to identify the economic inefficiencies that lead to the observed labor market outcomes.

Identifying the market failures or inefficiencies that cause low labor force participation by women is a critical policy issue as they impede the economy from fully utilizing a valuable human resource. These costs are even greater for Jordan because of the heavy investment done in women's education. At the same time, high unemployment among educated women points to an untapped pool of resources who are willing to work but are unable to find suitable jobs. Women's economic participation also generates substantial positive externalities in the form of greater civic and political participation, as argued by Sen.¹⁹ Education and participation in paid work are important determinants of female voice and agency in a society's decision-making processes²⁰. These are increasingly the focus for countries at the same income level as Jordan, as economic development is often accompanied by progress in social indicators, which

¹⁹ Sen 1990. "More than 100 Million Women are Missing." The New York Review of Books.

²⁰ A 23 country study during the period 1945-2000- Iverson and Rosenbluth (2008)- shows that low levels of female labor force participation can contribute to women being underrepresented in public life "both by reinforcing traditional voter attitudes toward women (a demand-side feature) and by constraining the supply of women with professional experience and resources who are capable of mounting credible electoral campaigns." [source: Egypt Country Gender Assessment, World Bank 2010].

include women's participation in the political and civil life of their countries. As shown in Chapter 3, despite some progress in recent years thanks to the introduction of quotas in the National Assembly and municipal councils, Jordanian women remain under-represented in the three branches of government. Their participation in professional associations also remains low and clustered in areas that are more "socially acceptable" for women.

Figure 20. Labor force participation rate with age

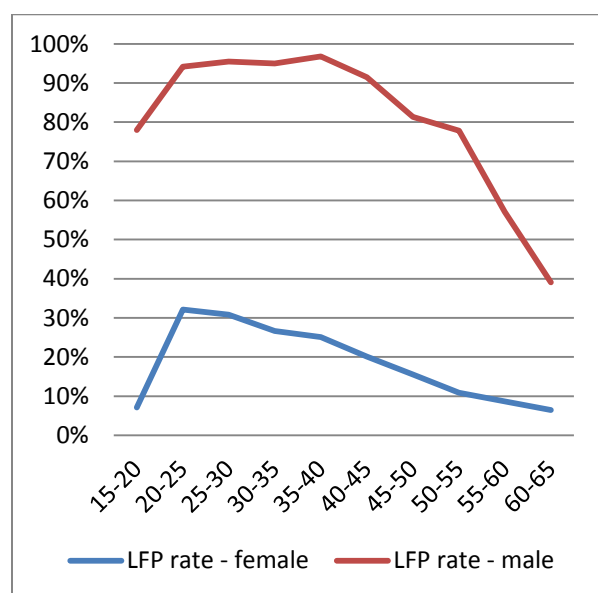
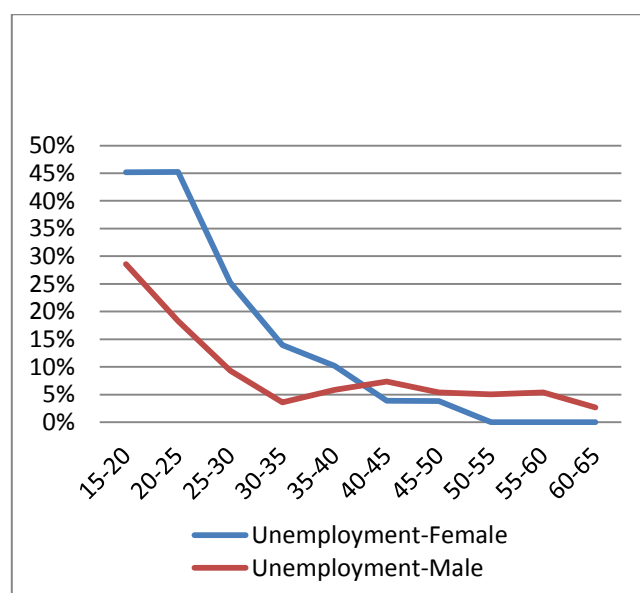


Figure 21. Unemployment rate with age

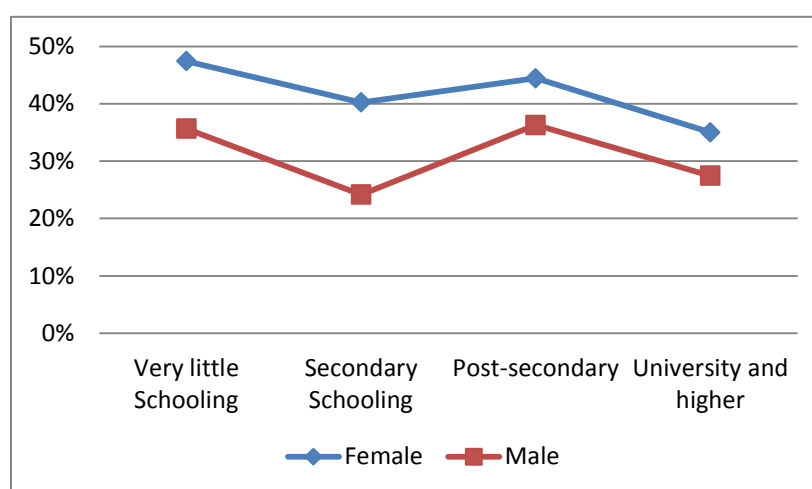


There is however no single explanation for the limited participation of women in the workforce in MENA. As explained in the MENA WDR, there are important MENA specific factors- undoubtedly influenced and shaped by the region's natural resources and geography, history, religion and culture, and by social norms. This complex set of factors is manifested in the prevailing gender norms in the countries of the region, the many common features of its legal and institutional framework, and an economic structure that creates limited opportunities to pull women into the workforce. In this chapter we will focus mostly on the latter but will also link to the former, as they are necessarily complementary. On one side, it is really important that growth enhancing policies focus on those particular sectors with high productivity and the possibility to create more jobs for high skilled workers which, as shown, are mainly females. On the other side, it is imperative that conditions are created for women to actively participate in these sectors by removing the barriers that are still preventing them from doing so. In particular, we will present some of the main correlates of women low economic participation and will argue how economic incentives- as they are currently designed – and gender-related bias in the economic structure of employment and production tend to distort women economic participation in the labor force. All these factors are reinforced by the lack of adequate institutions or legislation supporting the active insertion and participation of women to the economic life of the country.

Discouragement plays a big role in preventing women to join the workforce. One straightforward explanation for the low rates of participation observed in MENA is that women who would otherwise want to work are discouraged by the high rates of unemployment and consequent difficulties in finding a job. This could be inferred from the high rate of female unemployment, particularly among young

women. Figure 20 and Figure 22 show the curve of LFP and unemployment rates for age groups and divided by gender. While young women tend to participate more in the labor force, they also experience very high rates of unemployment (over 40 percent). With the increase in the age group, we notice a sharp decrease in unemployment rates, which are linked to lower rates of participation for women, particularly around 40 years of age. This seems to suggest that discouragement plays indeed as a factor. Among the economically active, males show regular entry/exit patterns while females are not entering the labor market at sufficient rates, and those who do are exiting too quickly. In addition to higher rates, women also experience unemployment of much longer duration than males (between 35 percent and 50 percent of women are unemployed for over one year, Figure 22). This seems to suggest that there are higher barriers to entry in the labor market for women, which tend to persist regardless of their age and education.

Figure 22. Longer unemployment spells among population aged 15-64 by education category



The Economic structure and job creation

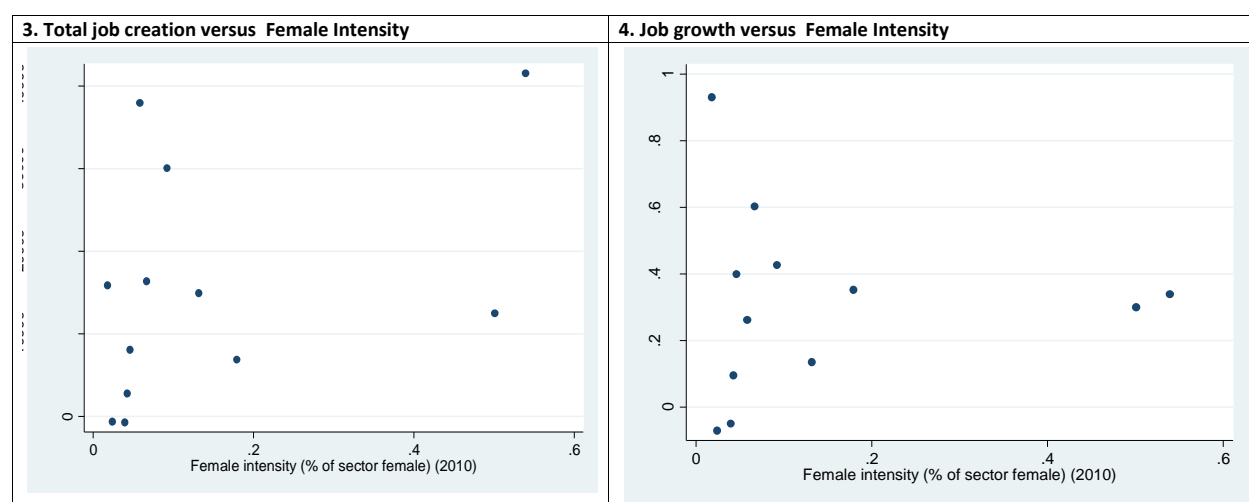
Jordan economic growth has not been “gender neutral”. An important question to ask is if Jordan recent growth has been ‘neutral’ with respect to female employment intensity, in the sense that it was not limited to either high or low female employment intensity sectors, or if there has been a biased towards sectors that do not employ women. This does not mean that policy should be focused on just ensuring that female intensive sectors grow. While it is important that sectors that employ mostly women are not stagnating, it is even more important to move away from the notion that most sectors are inherently not suitable for the expansion of women’s employment, and ask why their female intensity is low or stagnant. Finally, we use sectoral labor productivity data to examine whether employment opportunities for women are concentrated in sectors where labor productivity (and hence the wage rate) is low or not growing. This is an important question from the point of view of economic efficiency. Evidence that women are working in low return sectors signals the existence of mobility barriers which prevent them from moving to higher return sectors. It is also important from a welfare perspective as such restricted employment opportunities could be an additional reason preventing women from participating in the labor force.

Education is by far the most prominent high female employment sector in the Jordan economy, followed by health. The share of women in total employment in Jordan was 17 percent in 2010. Thus, as a rule of thumb, a sector with female employment share above 20 percent may be considered “female

employment intensive”. Education and health represent respectively 38 and 12 percent of all female employment and are female employment intensive with female employment being slightly over 50 percent in each (JLMPS 2010). (Table A.3 in the Annex). However, the growth rate of job creation in these sectors has not been very high recently (see Figure A1 and A2 in the annex-data for 2000-2008 source: Department of Statistics of Jordan). What is striking about these numbers is how skewed the distribution of female intensity is across sectors. Nearly half the sectors have minimal (less than 15 percent) female presence. Very few sectors- activities such as education, health, ICT and other services- have above-average female employment intensity. What happens in this small set of sectors therefore has major implications for women’s employment outcomes.

At first glance, it appears that job creation has been very low (both in levels and in terms of growth rates) in many of the sectors with high female intensity. This is confirmed by the scatter plot below (fig. 21). Indeed, as a first finding, the sectors that have experienced high growth in the past years in Jordan, are not the ones employing women in high proportion today. Ideally, we should be able to see also if there has been a shift of women between sectors in the last few years, i.e. if some sectors have gone through a de-feminization in favor of others. Unfortunately, we cannot say anything in this sense as we are looking at female intensity data from the JLMPS for which only data for 2010 are available (in contrast to job creation trends data that are from data collected by DOS). In any case, the picture we see from 2010 shows that there is indeed a segregation effect that prevents women to fully participate in the growth process.

Figure 23. Job creation and job growth vs. female intensity



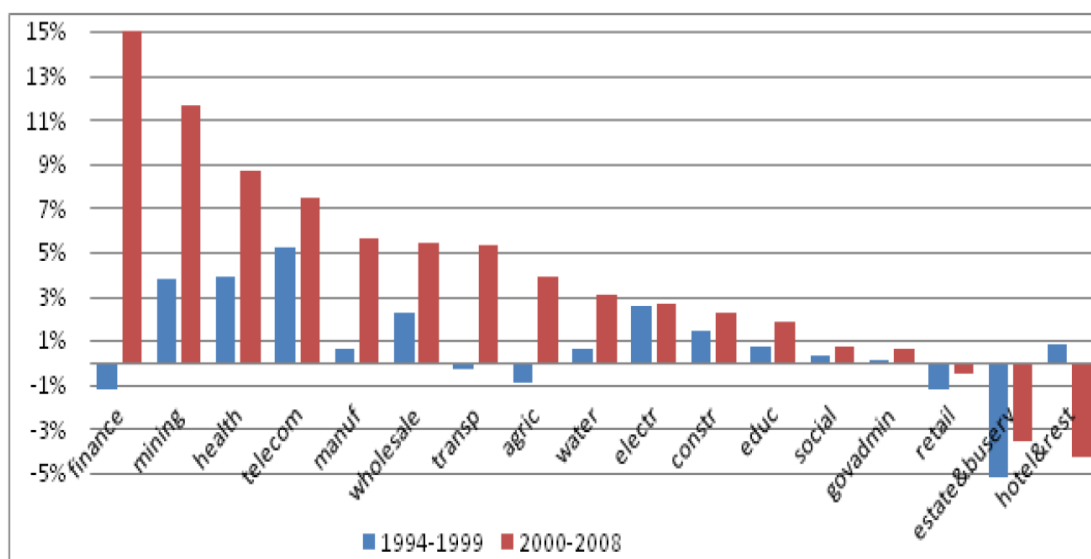
Female participation and Labor Productivity²¹

Another potential factor behind very low female labor force participation is the distribution of female employment in sectors with low productivity. If women are “constrained” to work in activities where productivity is low and not rising, then their returns to work are likely to be lower. This renders non-participation a more attractive option for women. Moreover, low productivity sectors probably have poorer growth prospects, which have negative implications for female labor force participation in the long run. A sectoral breakdown of labor productivity growth (as presented first in the 2012 Jordan DPR) shows that the financial, mining, health, ICT, manufacturing (pharmaceuticals), wholesale trade and transportation sectors have experienced the highest annual productivity growth (above 5 percent in 2000

²¹ Measured by output per worker

to 2008). In contrast, the tourism, real estate and retail trade sectors experienced a decline in productivity. Between these two extremes, the agriculture, water, electricity, and construction sectors experienced moderate increases in productivity, while government services productivity almost stagnated.

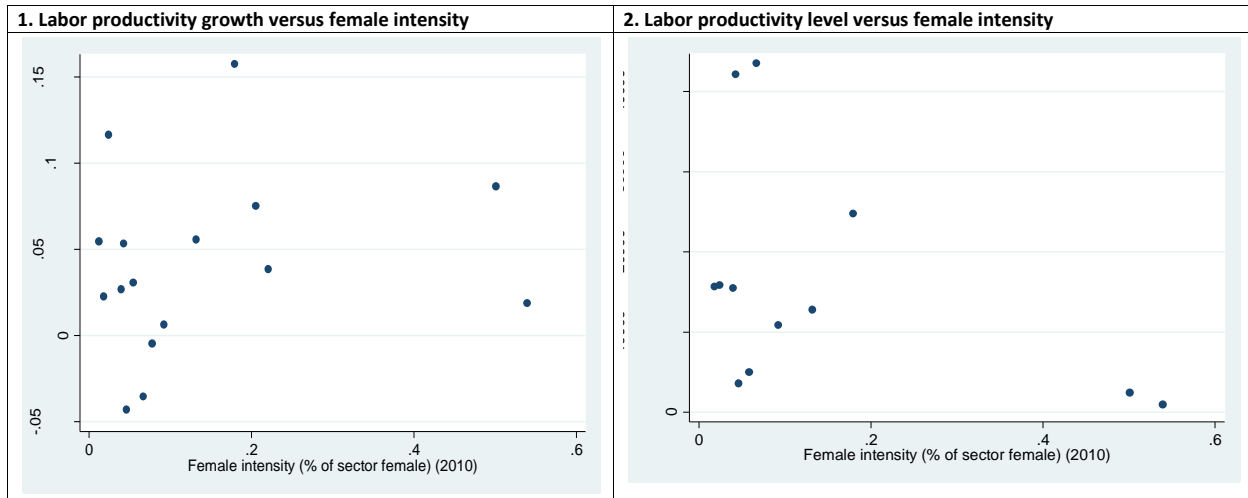
Figure 24. Labor productivity growth within sector (Annual growth rates)



Source: Jordan DPR

Women do not work in high productivity sectors. A simple scatter-plot of female employment intensity versus labor productivity (Figure 24) indicates that female intensity is low in sectors with higher productivity levels as well as highest productivity growth. There seems to be evidence from these aggregate trends of female workers locked not only in low growth sectors but also in sectors with low labor productivity (in particular education, health and public administration). These are also the sectors that employ the largest share of highly educated women (table A4). It exists, therefore, a large potential for further productivity increase from the movement of labor, particularly high qualified female workers, from low to high productivity sectors. Because high productivity sectors have a lower propensity to create jobs when they expand, it is imperative that these sectors experience a robust growth to mop up the available skilled labor in the market. Indeed, sectors such as pharmaceutical (chemicals), information and communication technologies, financial intermediation, health (including health tourism which is a high value-added sector) have all low elasticity of employment to output growth. Yet it is these sectors that hold high hopes for employing Jordan's large pool of skilled labor. For all Jordanians to capturing these positive externalities, these sectors need to grow much faster than in the last decade. For women in particular it is essential that they are trained to work in these sectors, and that social norms and regulations allow them to be competitive with respect to their male counterparts.

Figure 25. Labor productivity and female intensity



Women are perceived as less productive and more costly than men (despite lower wages)

Employers' perception of female productivity appears to limit female labor participation, especially in small enterprises. A recently conducted survey for the Jordan Human Development Report, 2011 revealed that medium size enterprises hire more females than small ones. Among the reasons put forward for preferring male employees, the main ones are females' limited ability for manual labor and for working late hours, and problems with families refusing to allow them to work. In addition, costs for the employers related to mandatory childcare and maternity benefits have also a strong impact on employers' decisions to hire women. Jordan, like most countries around the world, has made an effort seeking to make employment compatible with marriage and childcare and instituted maternity leave and childcare subsidy policy. Mandatory paid maternity is up to 10 weeks and the law also requires large employers to provide a nursery for childcare. While maternity leave and childcare policies are universally accepted as being essential to the well-being of working women, their impact on women's wages and employment is ambiguous, as shown in several studies on countries around the world.²² The reason for this is that although such policies make it easier for women with children to work, they also force employers to share in the cost of their female employees' childcare, thereby reducing their incentives to hire women. The recent National Employment Strategy reports evidence that private firms avoid hiring pregnant or married women because of maternity benefits enforced through the labor law and the new social security law (0.75 percent payroll contribution paid by the employer). However, recent amendments to the *Social Security Law* have established a universal contribution system for funding maternity-related benefits. Releasing employers from the obligation of fully funding benefits for their own staff may help in eliminating disincentives to hiring women.

²² United Nations CEDAW Committee (2010), Lefebvre and Merrigan (2009); Blau and Currie (2006), Nicodemo and Walmann (2009); Immervoll and Barber (2006, p36) find that in many OECD countries, the costs of child care can substantially erode the financial benefits to women from working. In some OECD countries, low-paid women would actually be worse off if they worked and sent their children to child care (source: MENA regional gender WDR).

Table 2. Firms ownership by gender

	Some Female Ownership	No female ownership
Prefer Men	50.7	66.3
Prefer Women	17.4	12.2
No preference	31.9	21.5
	100.0	100.0

Source: Jordan Enterprise Survey 2006

Evidence from the Jordan Enterprise Survey also indicates that businesses prefer to hire men, regardless of the gender of the owner/entrepreneur. For instance, firms with no female ownership prefer males to females by 66 to 12 percent; female owners seem to have less of a male preference than males do but even they, as business owners, prefer men over women 50 to 17 percent, with the rest (32 percent) having no preference (Table 3 and Table 4).

Table 3. Reasons for preferring to hire Men

	Share (%)
a. Men are more productive than women	38.7
b. Men are more flexible and willing to work overtime and longer hours	19.8
c. Men are less likely to quit	0.9
d. Women should not work out of the house	0.3
e. Men have lower rates of absenteeism.	1.9
f. Men have to support families	0.6
g. Men accept lower wages than women.	0.0
h. other	37.7
All	100.0

Table 4. Reasons for preferring to hire Women

	Men (%)
a. Women are more productive than men.	61.4
b. Women are more flexible and willing to work overtime and longer hours	8.6
c. Women are less likely to quit	1.4
d. Women have lower rates of absenteeism than men.	5.7
e. Women accept lower wages than men.	4.3
f. other	18.6
All	100.0

Source: Jordan Enterprise Survey 2006

These preferences may be driven by sector-specific concerns and indeed that appears to be the case (Table 5). Owners in the manufacturing and construction sector very clearly prefer males. In services female owners continues to prefer males, but by a much smaller margin than male owners. Finally, women tend to have a comparative advantage in the garment industry and therefore the employers' preferences are reversed in this case. Overall, it does appear that despite the overall male-preferences of owners, female owners appear to be less averse toward female workers.

Table 5. Firms ownership by gender and sector

	Some Female Ownership				No Female Ownership			
	Manufacturing (excluding garments)	Services	Construction and Transport	Garments (Manufacturing)	Manufacturing (excluding garments)	Services	Construction and Transport	Garments (Manufacturing)
Prefer Men	63.6	33.3	100.0	9.1	86.9	54.1	96.6	13.0
Prefer Women	6.8	25.0	0.0	54.6	5.1	8.2	0.0	41.6
No prefere nce	29.6	41.7	0.0	36.4	7.9	37.8	3.5	45.5
	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: Jordan Enterprise Survey 2006

The “revealed” preferences for hiring women in some sectors rather than others (such as in the garment industry) show the presence of cost factors that prevent business men and women from hiring female workers. They might become worth hiring only when their actual productivity and efficiency is much higher than their male counterparts. These costs, related mostly to compliance to the law in terms of maternity benefits or flexible hours, does indeed results in an economic cost to the firm. As mentioned before, the recently adopted Social Security Law for instance provides for maternity benefits through a 0.75 percent payroll contribution paid by the employer on behalf of both male and female employees. As argued in the National Employment Strategy, distributing the cost across males and

females reduces the “per head” cost and effectively “socializes” the cost across genders and reduces incentives to discriminate in hiring decisions.

Cultural and social norms inhibit women from working/being hired in the private sectors. For women to be hired, their perceived productivity matters: 61 percent of respondents say that the preferred to hire women because they were more productive than men. For hiring males on the other hand, perceptions of productivity are not the only main factor. Their flexibility and willingness to work longer hours make them more attractive in the eyes of owners. At the same time, 37 percent of respondents give ‘other’ reasons for preferring males, which are likely linked to cultural/social norms. Finally, for a (although small) percentage of respondents, a determinant factor in their choice of women as workers is due to the lower wages that they might be willing to take. This is consistent with the message from the previous WB CGA for Jordan (2005) stating that most women are in fact underemployed as, due to the long duration and high rates of unemployment, they might be willing to accept jobs below their qualifications and wages below those of their male counterparts.

Women do not acquire the right skills for the job

Barriers to economic participation are sometimes rooted in women’s health and educational attainment. In the case of Jordan, as in most countries of the MENA region, there is a clear disconnect between the skills and education that women acquired and the skills requested by employers, particularly in the private sector. We saw earlier how the labor market is characterized by separate spheres for men and women, with women (mostly the highly educated ones) concentrating mostly in education (38.6%), human health and social services (12%) and public administration (12%)²³. This reflects not only the preference for public sectors jobs, linked to the economic incentives that this offers, but also a mismatch between the skills acquired and the demand from employers. Women are in fact much more present in studies related to humanities, with very little presence in scientific courses or in technical fields in general (see table A5). The labor market outcomes seem therefore to basically mirror the fields of study women specialize in. This does not necessarily mirror the demand of skills that comes from the private sectors, and the qualification required to join the most dynamic and productive sectors in the economy.

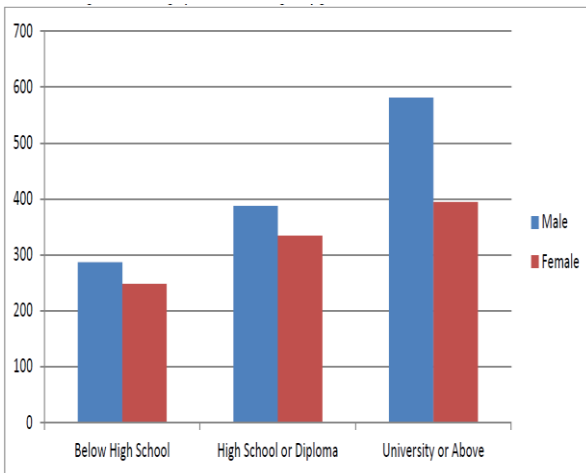
The significant disconnect between women’s skills and available jobs in the private sectors may also be reflected in women underemployment. When faced with difficulties in finding jobs at their level of education, prospective employees end up taking jobs for which they may be overqualified. In Jordan, on average, women tend to be more qualified than men in similar jobs. Women are more likely to find a job (or to be hired) only if they have higher education than a man, and there is evidence from past work that this is true even for a similar job. This could indicate job discrimination effects, leading to lower expected remuneration, which may also discourage women from entering the labor force altogether. Aggregate data from DOS²⁴ confirm the widely held perception of a wage gap between male and female workers. A wage gap between male and female workers continues to exist and is wider in the private sector (e.g., the average male wage is 1.24 times higher than the average female wage) than in the public sector (where the average male wage is 1.17 times the average female wage). Taking educational attainment into account, the wage gap is larger for university graduates than it is for graduates of community colleges, high school, or below.

Figure 26. Average public sector wages by education and gender

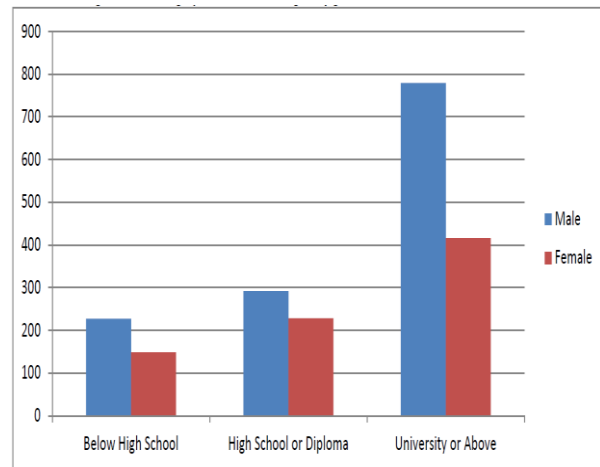
Figure 27. Average private sector wages by education and gender

²³ See table A.3 in the Annex

²⁴ As reported in the NES



Source: DOS



Source: DOS

To help overcome problems related to skills mismatch, Jordan has experimented with many types of ALMPs, with mixed success. A widely used tool to facilitate the match between demand and supply of labor, and the transition from school to work, are active labor market policies. Jordan has tried several programs, both on vocational and employability training or on-the-job training. As reported in the National Employment Strategy, few of them had a positive impact particularly when: (i) they were targeted towards specific sectors in which the sector representatives themselves were heavily involved in the design of the curriculum and hiring of their own graduates; or ii) they targeted fields and students and subsidized them through basic salaries/vouchers for short periods ranging from six months to one year. These programs can play a crucial role in subsidizing an employer's cost of training, and provide an incentive for the unemployed to get real life training experience and payment. Box 2 reports the experience of a recent World Bank pilot project specifically targeted to young female community college graduates.

Box 2. Jordan New Work opportunities for Women (JORDAN NOW)

The Jordan New Work Opportunities for Women (NOW) pilot, currently under implementation, is explicitly designed to support a rigorous impact evaluation. The pilot randomly assigned 1,347 recent female community college graduates to one of three labor market interventions: a 3 week soft-skills training course for 300 women, a 6 month job voucher offer for 300 women, a dual training and job voucher offer for 300 women, and a control group for 499 women. The job voucher offers a firm a six-month wage subsidy conditional on hiring a graduate.

Early results from the midline survey indicate that employers respond to clear financial incentives. Job vouchers induced a 39 percent rise in female employment. Fifty-seven percent of women expected to keep their jobs after their voucher expire. In contrast, the training program received extremely positive feedback from trainees yet had no significant effects on employment. A detailed survey is underway to verify and understand the long-term impact of the pilot. Only when these results are compiled will it be clear whether the voucher program has had an enduring effect on employment.

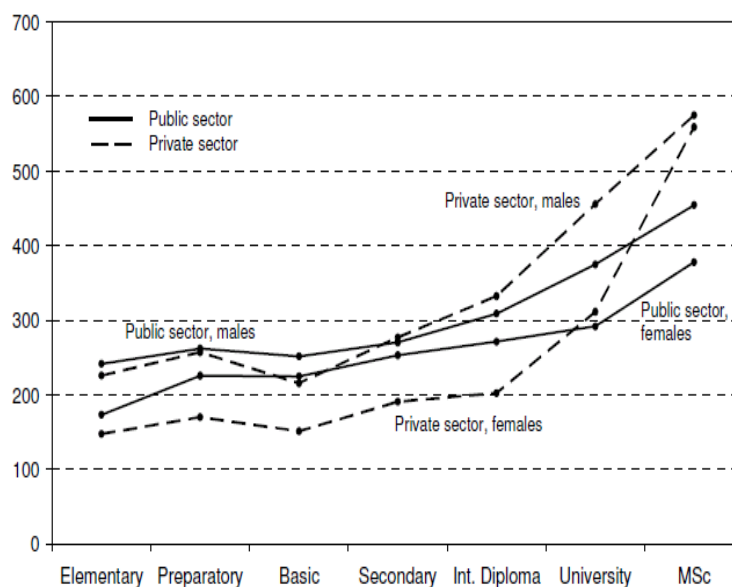
To identify other effective alternatives to facilitate the school to work transition, an extension to the pilot will involve an employee screening and matching project, by developing signaling mechanisms for job seekers, reducing the search costs for employers and connecting job seekers with employers.

Economic Incentives

Economic incentives can distort women choices in the labor market. Women are attracted to public sector jobs in the social fields (mainly health and education) and by the fringe benefits offered in these jobs. These include job security, shorter working hours, health insurance (which most small private firms do not provide) and social security benefits (which until the adoption of the new Social Security Law in 2010, firms with fewer than 5 workers did not provide). The expansion of the public sector created many jobs, especially for the well-educated. While women have benefited directly from these advances, the high level of public sector employment has distorted the labor market, by attracting the brightest youth at rates of pay the private sector cannot match.

Public employment continues to account even today in Jordan (as in the entire MENA region) for a great part of employment (36 percent), even more so for women (44 percent). Public sector jobs are substantially better remunerated than private sector jobs. The public sector wage gap in monetary earnings for Jordan is striking, especially for women [Figure 28 below]. Part of this reflects the nature of the jobs in each sector; the public sector on average requires higher levels of education than the private sector, and employs more workers in urban areas. Even after controlling for differences in education and other characteristics, however, public sector jobs are more lucrative than those in the private sector. The gaps are increasing with the level of education. Since women tend to have higher levels of education, their wage gaps are greater than those of men. Partly as a result of this, women are attracted to public sector jobs to a greater extent than men.

Figure 28. Monthly earnings in JD by sector, gender and education, EUS data 2009 Q1-Q2



Source: ILO "A comparison of public and private sector earnings in Jordan"

Furthermore, non-monetary benefits are much higher in the public sector. These benefits include social security, health insurance, greater job security and paid sick leave. Once these factors are taken into account, it is no surprise that educated young people, especially women, are attracted to the public sector. The generosity of pay and benefits paid to public sector workers makes it hard for private sector firms to compete for the best talent. In Jordan, more than 80 percent of women working in salaried public sector jobs have post-secondary education, while the corresponding share for salaried private sector jobs is 60 percent. This has economy-wide effects in terms of productivity and growth, as it distorts the market incentives to efficiently allocate skills to their most productive use.

Figure 29. Work benefits in public and private sector

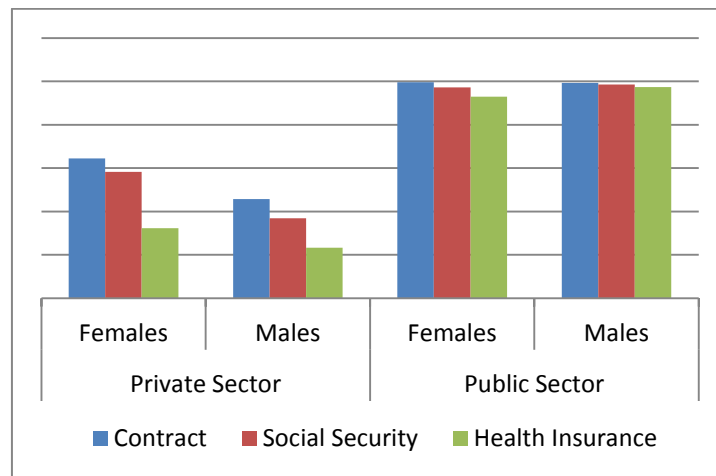
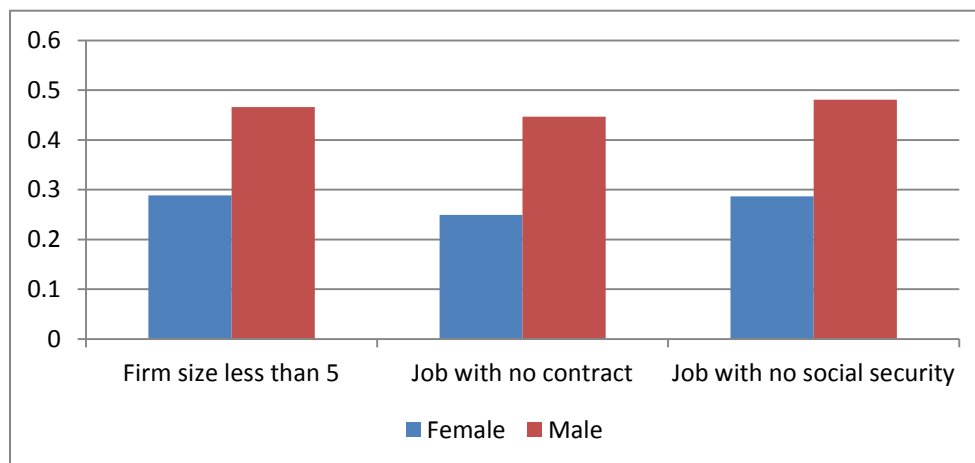


Figure 30. Informality by gender



The creation of new positions in the public sector, however, has not kept pace with the rate of labor force growth as young people, particularly women, graduate from school and university. As a result of the gap in compensation, many young people are prepared to remain unemployed in the hope of eventually finding a job in the public sector, leading to a phenomenon called ‘wait unemployment’. This is partly responsible for the extremely high unemployment rates in MENA countries, rates which are most pronounced among youth and more educated individuals. This is especially true for women; young female graduates with intermediate or higher education face the highest levels of unemployment (as shown before), while young women with more than secondary education tend to remain unemployed for longer periods of time than their male counterparts.

The high incidence of women working in the public sector results in low level of informality in Jordan, particularly among women (more men than women in fact hold jobs in the informal sector). This remains true even when we restrict our attention to workers in the private sector without social security benefits or without a contract. This may also reflect the fact that women do not participate unless they are able to secure job benefits or unless they are bound by necessity.

Economic “obstacles”

Access to credit is a key obstacle to business startup and expansion. Anecdotal evidence from women business owners believe that they are more likely to be discriminated against merely on the basis of gender. Although bankers argue that their credit policies are gender neutral, Jordanian businesswomen claim that their male counterparts receive more favorable treatment, for example, lower collateral for the same loan amount and no requirement for a spousal guarantee, whereas a woman needs her husband’s guarantee²⁵ (see Box 2.5 CGA 2005). Jordan scores 4 out of 10²⁶ in the index of financial inclusion (for legal rights) and women do seem to have less access to loan and credit in general and from formal institutions in particular.

Table 6. Access to credit/ loans by gender (% individuals of age 15+)

	Male	Female
Loan in the past year	35	28
Loan from family or friends in the past year	28	24
Loan from a private lender in the past year	2	1
Loan from a financial institution in the past year	5	4
Account at a formal financial institution	34	17

Data from the Financial inclusion index. Most recent year (2011)

Difficulties in accessing credit from formal financial sources mean that many women entrepreneurs turn to microcredit as a second-best solution. Survey research (reported in the 2005 CGA) indicates that a significantly higher number of women running informal enterprises in Jordan want to borrow from microcredit institutions: 91 percent of women surveyed, compared with 73 percent of men, indicating men’s greater ease in accessing the formal financial market. In the early to mid-1990s, only 5.3 percent of Jordanian working women had access to microcredit, but by 2001, 12 percent of working women were participating. These women tend to have less education (66 percent have completed only primary or preparatory school) and 62 percent live in the densely populated middle region of Jordan. Most women in Jordan still rely on household income, borrowing from family and forming rotating savings and credit associations (ROSCAs) to finance their projects.

Mobility Constraints appear to limit job opportunities for women

Labor mobility remains limited, especially among females, thus accentuating the gender gap in varying unemployment rates across Jordan²⁷. Jordan exhibits employment and unemployment patterns

²⁵ The lack of a private credit bureau and the low coverage in the public credit registry (19 borrowers per 1,000) is problematic for loan approvals, too, meaning that the cultural or social disposition of the loan officers may have a greater influence on decisions.

²⁶ Where 10 is the highest level in terms of strength in legal rights.

²⁷ An important distinction to be made is between the concentration of unemployment (i.e., where the unemployed are located) and rates of local unemployment (measured as the number of unemployed divided by the economically active; i.e., the working plus unemployed population in the locality). The bulk of the unemployed are in Amman,

similar to most urbanized countries, with most job creation taking place in urban centers due to agglomeration economies leading businesses to co-locate. About 55 percent of the jobs created between 2007 and 2010 were in Amman, Jordan's political and commercial capital, consistent with the fact that this is also the most populous area (source: NES). Women however tend to travel little and for much less time than men. Only 5 percent of women travel more than 60 minutes, implying their job location is not much far than their place of residence. At the same time, only 11 percent of women (against 27 percent of men) work in a different governorate than the one of residence and one over 3 women in a different district (against more than half of men working in a different district than the one they reside). Figure 31 **Error! Reference source not found.** shows unemployment rates by region and gender. It is clear that although geography affects unemployment of both genders, female unemployment is disproportionately affected: unemployment rates among females in the north and south of Jordan are 24 percent and 30 percent, respectively, or almost twice and thrice the rate in the center.

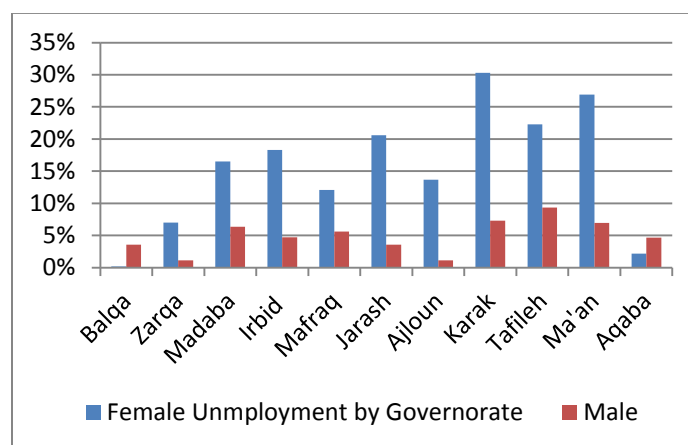
Table 7. Travel time to work

	More than 30 minutes	More than 60 minutes
Male	31%	15%
Female	18%	5%

Work in locality different from own residence

	Working in different District	Working in different Governorate
Male	53%	27%
Female	34%	11%

Figure 31. Unemployment rates by Governorate



Irbid, and Zarqa (34 percent, 19 percent, and 15 percent, respectively). However, smaller towns and rural areas exhibit much higher rates of unemployment measured as a percentage of the economically active population in that particular locality.

Immobility can mean more than just restricted spatial movement, and in the case of female job seekers, another manifestation of this problem is that they are more constrained than males in their job search methods. Table 8, which is based on JLMPS data, shows that young female job seekers are relatively restricted to using indirect, anonymous methods of job search, such as sending an application or registering at a labor office. Their male counterparts favor more direct methods, such as using the phone, contacting the employer, inquiring at the work location or asking friends and relatives for help. In addition, while levels are low for both men and women, men are 4 time more likely than women to seek finance for a private project.

Table 8. Job Search Methods (% Saying Yes)

	Females	Males
TV/newspaper ads	52.0	52.9
Visiting institutions and work places	61.8	73.9
Relatives/friends/current-previous officials help	52.9	68.4
Applying in Ministry of Labor offices	31.1	26.2
Applying in the Civil Service Bureau	46.6	13.8
Internet sites	19.5	13.6
Using land lines and cell phones	18.3	31.0
Waiting at a place for workers gathering	1.0	7.9
Seeking a private project	2.7	11.3
Seeking private project finance	1.6	5.4

Note: These job search methods are of those currently unemployed and the reference period is the last 4 weeks

Preferences and social norms

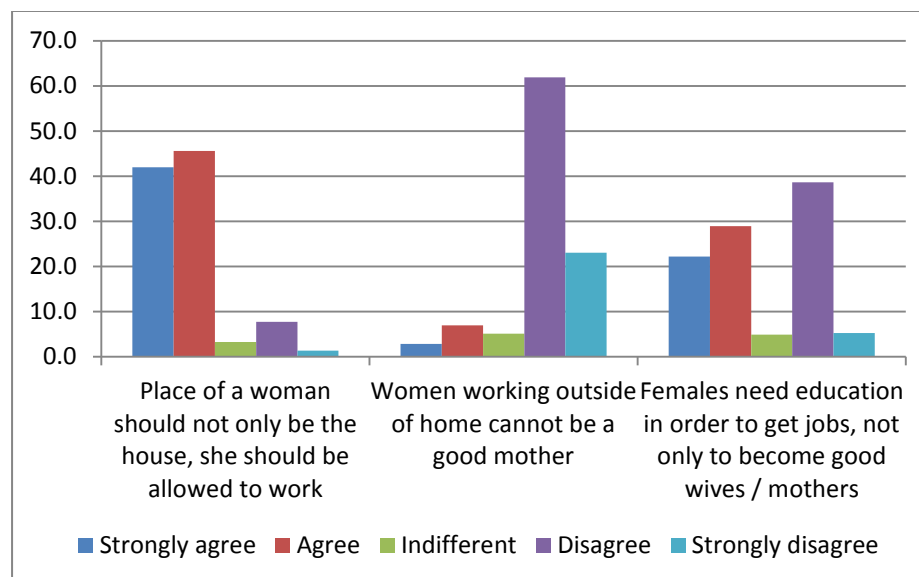
Public sector jobs are often perceived as the only “socially acceptable” employment for a woman. A recent World Bank study in Upper Egypt highlights the importance of government jobs as the main form of socially acceptable employment, especially for women. Young men and women alike aspire to government jobs as the ideal. Young women perceive these jobs as being ‘acceptable’, from their own and from society’s perspective, because of the compatibility of working hours with housework and the security of employment

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women agreed with the statement that the “place of a woman should not only be the house, she should also be allowed to work.”

Figure 32. Attitudes of married females toward work and home

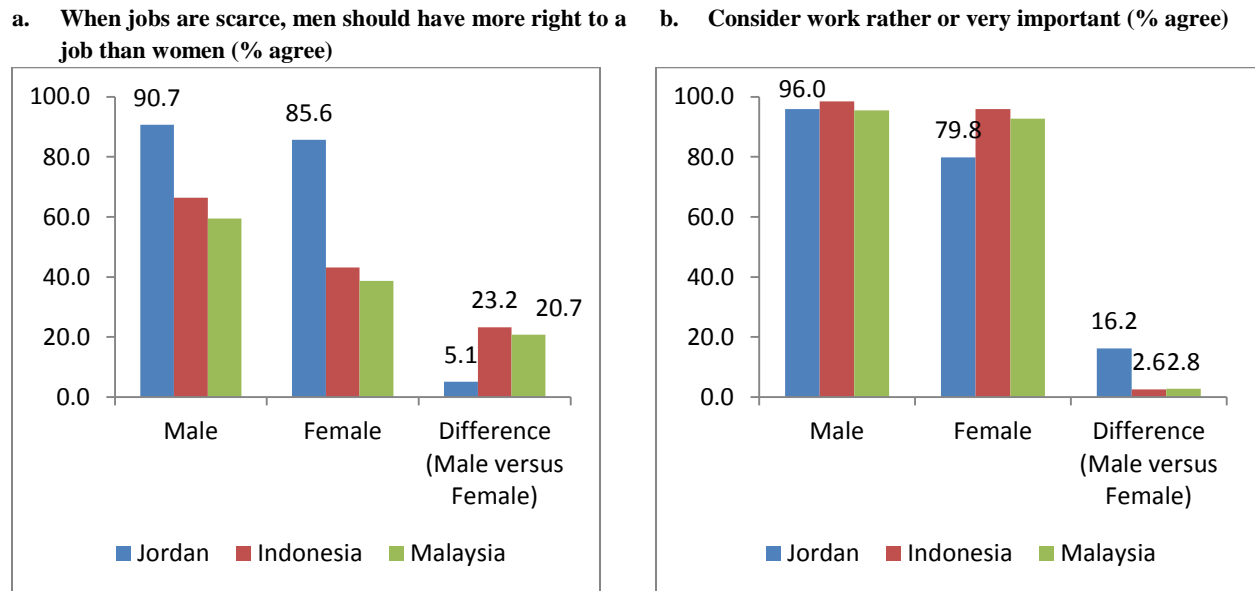


Source: JLMPS 2010

Despite their aspirations, women remain subject to a conservative view of their role. There might be specific gender norms, influenced in turn by historical, cultural, social and economic factors that directly affect women’s agency and are potentially far more important in explaining gender outcomes in the country. In Jordan, social norms are heavily based on traditional views of family roles, with men expected to provide financially for their families and women to tend to the physical needs of their families. Women are also seen as needing protection, both physically and in terms of reputation. A thorough discussion of this issue is included in Chapter 3. The same survey of Jordanian women shows also that more than half of the sample continues to believe that they need an education mostly to become good wives and mothers, and not to get a good job. Moreover, while they consider work to be important, they do so much less than in other comparator countries, such as Indonesia and Malaysia. For example, 90 percent of male respondents believe that ‘when jobs are scarce, men should have more right to a job than women’; 85 percent of women also agree with this. In both Malaysia and Indonesia, countries used as an example of successful policies for inclusive growth, fewer men and women agree with this statement, with female agreement also being much lower than those of males.

Countries such as Indonesia and Malaysia have succeeded to accelerate their growth and development by increasing their productivity and by making a good use of their pool of human resources, which includes women (labor force participation for women in Indonesia and Malaysia are 51 and 44 percent, around double that for Jordan. As argued in the MENA WDR, the type of norms Jordan exhibits reflects elements of a patriarchal society. While these elements are not unique to MENA society, they are perhaps more pronounced there than in other regions. And, as in the case of Jordan, they can represent a big disadvantage for women in many dimensions of their lives.

Figure 33. Perceptions of jobs: Jordan, Malaysia and Indonesia



Source: World Values Survey (2005)

Policy Implications and Conclusions

Low labor force participation by women is a critical policy issue as it impedes the economy from fully utilizing a valuable human resource. The cost of such an incredibly low economic participation is very high for country like Jordan because of the heavy investment done in women's education and where less than a woman over four is active in the labor market. At the same time, high unemployment among young educated women (above 40 percent) points to an untapped pool of resources who are willing to work but are unable to find suitable jobs.

Women work in a very narrow set of jobs and mostly in the public sector. There is evidence of a highly segmented labor market where women have access only to jobs in few sectors, and where barriers to entry in the private sector both as employees and entrepreneurs still exist. These barriers are both economic and social in nature, and reinforced by the legal and institutional framework, which makes costly to hire women. As a result, women have not participated in or benefitted from the past decade of growth: job creation has been low, both in levels and in terms of growth rates, in many of the sectors with high female intensity. Moreover, women tend to work in sector with very low productivity, and very few of them are part of the most dynamic sectors that have been driving growth. Evidence that women are working in low return sectors signals the existence of mobility barriers which prevent them from moving to higher return sectors. Such restricted employment opportunities could be an additional reason preventing women from participating in the labor force.

It is imperative that conditions are created for women to participate in high productivity sectors by removing barriers that prevents them from doing so. Distorted economic incentives and gender-related bias in the economic structure of employment and production distort women choices in terms of economic participation. It is critical to remove these distortions and reduce discrimination in labor market to allow women to participate in the workforce without exogenous constraints. This means starting from widening women perspectives in their choice of degrees and field of education and the correspondent jobs

that might be able to find in the labor market, remove the economic distortions that make the public sector the employer of choice for most women, change the perception that only few jobs are suitable for women, and allow them to exploit the same methods of job search and the same mobility that men have.

Policies are needed to reduce gender-based occupation segregation and remove barriers that prevent women from working in high productivity sectors. The very low rate of female labor force participation in Jordan reflects a real lack of opportunities for women who want to work and is not simply the result of women preferences for family life. This is starkly reflected in the dramatically high unemployment rates for young women, in particular for those with high levels of education. These women want to work, but cannot find suitable employment. It is therefore essential to improve women's access to economic opportunities by on one hand expanding the scale and type of job opportunities – for instance in some of the most productive sectors of the economy (such as ICT, financial, or pharmaceutical) -and on the other hand by breaking down the legal and social barriers that discourage employers from hiring female candidates, and discourage women who want to work from accepting available jobs.

The growth of 'female-friendly' industries should be promoted in order to increase women's employment, while at the same time expanding the range of industries "suitable" for women occupation. High value service sectors such as ICT have in particular demonstrated an ability to pull women into the workforce. In manufacturing, sectors such as garments and food processing are particularly 'female-friendly'. As recommended in the MENA WDR, best practice industrial policy, conditionality, sunset clauses, built in program reviews, monitoring and periodic evaluation are desirable. While it is important that sectors that employ mostly women grow at a sustained pace, it is even more important to move away from the notion that most sectors are inherently not suitable for the expansion of women's employment. Women in Jordan are working in low return sectors signals the existence of mobility barriers that prevent them from moving to higher return sectors. These barriers might be of legal or social nature and might be behind such a low rate of economic participation.

The education system needs to be reformed to better respond to market signals and equip young women with the skills demanded by the private sector. Women are predominantly trained in traditional disciplines useful for a public sector job, but of limited interest to private sector employers. In order to make female graduates more attractive to firms, initiatives –designed and run in partnership with the private sector-should encourage young women to get training and experience in non-traditional fields in demand from the private sector, such as medicine, engineering and law. Finally, it is also important to strengthen women's networks to widen the variety of methods of job search and grant them the same mobility that men have.

To boost female employment is necessary to reduce the real and perceived "additional cost" of hiring a woman versus a man and remove the economic distortions that make the public sector not only the employer of choice but essentially the only possible employer for most women. Women in Jordan are overwhelmingly employed in the public sector. In part this can be explained by the pay gap and monetary and non-monetary incentives described in this report. But another reason is that private employers find women more 'costly' to employ than men. While it is important to maintain the flexibility and the benefits that make a job in the public sector attractive for women, as they represent an advance in the policy of attracting women in the labor force, it is equally important to remove distortions that make the public sector the only possible employer for most women- and that assign a high premium to public sector jobs - and to support private firms in their effort to offer such incentives to women that would make the private sector equally attractive. The "revealed" preferences for hiring women in some sectors rather than others²⁸ (such as in the garment industry) show in fact the presence of costing factors that prevent businessmen and women from hiring female workers. They might become worth hiring only

²⁸ As per authors' elaborations on the Jordan Enterprise Survey 2006 - see chapter 2.

when their actual productivity and efficiency is much higher than their male counterparts. These costs, related mostly to compliance to the law in terms of maternity benefits or flexible hours, does indeed results in an economic cost to the firm. The recently adopted Social Security Law represents a step forward in this sense as it provides for maternity benefits through a 0.75 percent payroll contribution paid by the employer on behalf of both male and female employees. Distributing the cost across males and females reduces the “per head” cost and effectively “socializes” the cost across genders and reduces incentives to discriminate in hiring decision.

Policies need to be designed to dispel common prejudices and social norms about women employees. In Jordan, as in most MENA countries, there are misconceptions among employers about the reliability, productivity and commitment of young people and women in the workplace. Policies are needed to combat these misconceptions and improve the confidence of private sector firms about the employability of youth and women. On one side, it is important to reinforce the social and cultural role that women play in the society by being supportive of women equality and empowerment. This can be achieved also by furthering legal reforms that ensure greater equality and increasing agency, and by promoting greater awareness among women of rights and means for exercising them. (See chapter 3). On a more practical side, internships and short-term incentives to firms can provide young women with workplace experience while giving firms the opportunity to screen them before hiring. An ongoing pilot in Jordan provides a ‘job voucher’ to young female graduates, effectively subsidizing firms who take a **chance in hiring them.**

New regulations are needed to removing regulatory barriers and ease the access to credit for female entrepreneurs and to ensure that women gain greater control of women over economic assets overall. Access to credit is a key obstacle to business startup and expansion. Anecdotal evidence from women business owners believe that they are more likely to be discriminated against merely on the basis of gender. Although bankers argue that their credit policies are gender neutral, Jordanian businesswomen claim that their male counterparts receive more favorable treatment, for example, lower collateral for the same loan amount and no requirement for a spousal guarantee, whereas a woman needs her husband’s guarantee. Jordan scores 4 out of 10 in the index of financial inclusion and women do seem to have less access to loan and credit in general and from formal institutions in particular. Improving access to credit for female entrepreneurs will increase women chances to work but also to create jobs for other female workers. At the same time, it is essential that the right legal and institutional frameworks are in place to allow women have equal control over their economic assets than their male counterparts.

CHAPTER 3. AGENCY, EQUALITY AND ACCESS TO JUSTICE

Overview

Similar to the situation with economic participation, achievements in human development have yet to translate into considerable improvements in women's agency, with numerous obstacles continuing in exercising agency in the social, economic and political spheres. Agency matters in development for a number of reasons, as highlighted in the WDR 2012²⁹, and is key to understanding the emergence of unequal development outcomes based on differing capacities of men and women to exercise choices related to economic, social and political life. Women's ability to influence their own lives also matters in and of itself in the context of basic rights and fundamental freedoms. It plays a role in building their human development and economic opportunities, and opening opportunities for greater participation in social and political life. The ability of women to exercise agency also improves their children's welfare and shapes their future behavior. The WDR 2012 points out that global progress in outcomes associated with women's agency have, overall, been limited as women continue to control fewer assets, have less autonomous income, and have less control over household decisions than men. *Opening Doors* argues that the MENA region in general exhibits a gender equality paradox applicable to Jordan. In Jordan, progress in closing gender gaps in human development - education and health outcomes – have yet to translate into commensurately higher rates of female participation in economic and political life.

Obstacles to women exercising agency in Jordan are caused by a combination of the treatment of women versus men under applicable legal frameworks, with gaps further widened by restrictive social norms that can govern women's behavior. The practical boundaries of women's agency are defined both formally by legal rights and informally through social norms. Legal rights are codified in legislative frameworks and enforced by formal institutions. Legal restrictions, often reflecting social norms, impact agency most prominently in Jordan in terms of family and personal life. Social norms, based on a combination of religious and non-religious factors, are enforced through a combination of self-enforcement by individuals, often backed by family and pressures, and informal institutions. Social norms in Jordan impact more strongly on access to economic assets and participation in social and political life, and policy development, by setting practical boundaries as to what types of choices are acceptable for women to make. They are also reinforced through biased delivery of services by public sector institutions, which contravene applicable legal and administrative frameworks.

Agency gaps can be categorized under the following topics:

- *Control of Economic Assets* – measured by the ability to own, use and dispose of material assets.
- *Family and Personal Life* – considers the role of women in the family, as well as marriage, divorce and separation; the ability to move freely, travel and work outside of the home.
- *Voice in Society and Policy* - gauged by participation and representation in formal politics and engagement in collective action and associations.

The relevant factors of the Jordan country context related to these topics will be used to assess the extent of agency gaps between women and men. (Table 9)

²⁹ The World Bank, *World Development Report 2012: Gender Equality and Development*. For a full discussion of the agency issue, see pgs. 150-192. The World Bank's *WDR 2012: Gender Equality and Development* broadly defines agency as 'an individual's (or group's) ability to make effective choices and to transform those choices into desired outcomes'. The Bank's MENA Development Report *Opening Doors: Gender Equality and Economic Development in the Middle East and North Africa (Opening Doors)* defines it as 'the capacity and authority to act, and underpins an individual's ability to shape her own life: freedom of choice, expression, and decision making'.

Table 9. Agency in the Jordan Country Context

Category of Agency	Relevant Factors	Country Context
Control of Economic Assets	employment income, land, inheritance, dowries, pensions, social security, alimony, family allowances, household finances	Agency partially limited by legal/regulatory frameworks, further diminished by social norms, resulting in a gender imbalance heavily tilted towards men in control of assets
Family and Personal Life	role as wife, marriage of minors, grounds for divorce, child custody rights, rights of widows, violence against women, control of family books, citizenship, ease of mobility, work outside of the home, access to travel documents, travel with children	Agency relatively more limited by legal/regulatory frameworks, further diminished by social norms, resulting in a considerable imbalance in the agency of women and men
Voice in Society and Policy-Making	elected and appointed office, election quotas, representation on boards of directors, professional associations, entrepreneurs	Agency relatively less limited by legal/regulatory frameworks, but further diminished by social norms resulting in limited participation by women relative to men

Positive Reforms to the Legal Framework

Recent legislative and regulatory reforms, if implemented effectively, have the potential to increase women's agency through expansion of rights and improvements in service delivery. As highlighted in the WDR 2012, expanding the rights of women can foster agency, but expansion of rights for family formation and control over household assets has been limited globally. The GoJ has introduced some positive legislative reforms, in particular through major revisions to the *Personal Status Code* in 2012 that affect family and personal rights. Other notable reforms cover areas of control over economic assets, political participation and domestic violence. (Table 10) If implemented effectively, these reforms have the potential to improve women's exercise of agency. However, implementation of laws and regulations can often be problematic in Jordan, especially when they conflict with social norms.

Table 10. Legislative and Regulatory Reforms

Control of Economic Assets	
Personal Status Code	<ul style="list-style-type: none"> establishment of fund to make direct alimony and child support payments to women
Social Security Law	<ul style="list-style-type: none"> a widow can now inherit the full pension of a deceased husband and her share of an inherited pension from a son or daughter a woman can pass her pension to her family as a male employee can women working from home can voluntarily join the social security fund
Labor Law	<ul style="list-style-type: none"> provisions extended to include domestic workers, many of whom are women, and agricultural workers (guarantee of monthly salaries and minimum wages, sick leave and regulation of working hours)
Landlord and Tenant Law	<ul style="list-style-type: none"> provides some protections to widows and divorced/separated women to allow them to stay within a leased family home for a period of three years
Family and Personal Life	
Personal Status Code	<ul style="list-style-type: none"> flexibility in marriage contracts to solidify women's rights in marriage and divorce added grounds for woman to initiate divorce, without the consent of a husband (<i>iftidaa</i>) notification requirement for men to take second wife extended the period for which mother maintains custody of children to age 15 women can keep gifts given them during engagement period if man cancels engagement women can petition court for right to marry if guardian does not give permission in case of divorce father with guardianship of children cannot move them to school away from the residence of the mother with custody
Social Security Law	<ul style="list-style-type: none"> financing to cover costs associated with maternity leave will be funded by a payroll tax on all workers, rather than financed by employers
Protection from Domestic Violence Law	<ul style="list-style-type: none"> obligates providers of social, educational and medical services to report suspected cases of domestic violence provides protection orders barring perpetrator from family residence for forty-eight hours allows for perpetrator to be detained at the Family Protection Administration for a maximum of twenty-four hours. family reconciliation committees established to provide mediation/ reconciliation services
Labor Law	<ul style="list-style-type: none"> introduced some protections against sexual harassment in the workplace
Voice and Political Participation	
Law of Parliamentary Elections	<ul style="list-style-type: none"> 15 parliamentary seats (House of Representatives) reserved for women, up from 12

Continuing Legal Impediments

Yet existing legal provisions, partly reflecting social norms, also continue to contradict the principle of equality under the law and restrict the legal boundaries of women's agency. The *Constitution* provides for equality of Jordanian citizens, and specifically prohibits discrimination based on race, language and religion, but not gender. During the debate surrounding amendment of the *Constitution* in 2012, women's groups had requested the National Commission amend the relevant article to specifically include gender in terms of non-discrimination. At the same time, the *Constitution* allows for special treatment of women through regulations covering employment, which currently restricts the types of employment can obtain and the hours which they can work. The GoJ is signatory to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which requires it to enshrine gender equality in domestic legislation and address gender-based discrimination. But it maintains several reservations on implementation, covering issues of equality in passing nationality to children and in family matters, including dissolution of marriage, child custody and support, and choice of employment during marriage. The GoJ did, however, lift reservations related to equality in freedom of movement and the freedom to choose residence in 2009. A number of other laws and regulations have been identified as possibly undermining equality in the exercise of agency. (Table 11)

Table 11. Legislation Negatively Impacting Women's Agency

Constitution	<ul style="list-style-type: none">• Allows for special employment conditions for women, implemented in terms of preventing women from employment in some sectors and restricting nighttime work
Civil Service Regulation	<ul style="list-style-type: none">• Married male employees entitled to a monthly family allowance of 20 JD, while female employees can receive a family allowance only in cases where she is widowed, her husband is incapacitated or she is supporting her children• The retirement age for employees is set at age 60 for men and age 55 for women
Social Security Law	<ul style="list-style-type: none">• Employee is entitled to a pension at age 60 for men and 55 for women in special cases men can continue working to age 65 and women to age 60• Women can cash-out their pensions when they become married, divorced or widowed
Labor Law	<ul style="list-style-type: none">• Provides some restrictions on employment of women in certain professions and on night-time work hours
Personal Status Code	<ul style="list-style-type: none">• Testimony of one man equal to that of two women in Sharia Courts• Muslim women must have the consent of male guardian to marry• Unequal access to divorce for men and women, with more complicated procedures if women initiate divorce• A man can have up to four wives, a woman is restricted to a single husband
Nationality Law	<ul style="list-style-type: none">• Women face considerable obstacles in passing nationality to spouses, and cannot pass nationality directly to children, while men can pass nationality automatically to children and at will to spouses
Law on Residency and Foreigner Affairs	<ul style="list-style-type: none">• Jordanian women married to non-Jordanians must continually facilitate residency permits for their husbands and children
Penal Code	<ul style="list-style-type: none">• Sentences for honor crimes committed by men are mitigated if the crime is witnessed anywhere, for women to be eligible for mitigating factors the crime must be witnessed in her family home

The Role of Social Norms

Social norms play a role in restricting women's agency, defined by the themes of traditional gender roles in the family and the physical and reputational protection of women. In concert with legal

restrictions, social norms continue to restrict women's agency in terms of control of economic assets, family and personal life, and political participation. Social norms are not uniform - they vary based on a number of factors including social and economic status and rural versus urban locations. They are influenced by religious, in the Jordan country context primarily Islam and Christianity, and non-religious traditions. Many religious norms have been integrated with formal laws, most prominently in legislation governing family and personal life. Social norms place a father or husband as the head of family, which gives him the role of guardian of the family and female members, and the responsibility to provide financial maintenance and make major decisions affecting the family. In return for financial maintenance, female family members are normally expected to defer to male family members in decision-making and control of economic assets. Protection of women in society can be applied both to physical and reputational protection, with the latter viewed as impacting the wider family. As highlighted in the WDR 2012 social norms can be particularly binding when increases in women's agency shift power balances within households and society.

In practice, social norms can act to restrict agency beyond the boundaries set by legislation and regulations. This may occur through a process of 'self-censorship', where individuals restrict their actions to conform to the societal view of behaviors that are and are not acceptable. Social norms are often applied against women by family members. Examples include: control of a woman's salary by a husband or father; renunciation of inheritance rights by women in favor of male relatives; virginity tests for women prior to marriage; and husbands taking control of wife's dowry. They can also be applied against individuals by other individuals, including government officials, resulting in biased and ineffective delivery of services to women. Practical examples of this include: requiring a husband's permission for a wife to obtain birth control, travel outside of country with their children; and open a bank account for their minor children; and refusal to investigate domestic violence accusations because they are viewed as family matters.

Data from the World Values Survey 2007 highlight the conflict between social norms and women's exercise of agency, and the importance attached to the traditional roles of men versus women in terms of work and family life. For example, 87% of men and 74% of women agree that men make better political leaders than women. This attitude is more entrenched with younger men - roughly 88% of men between the ages 15-49 agree with that statement, versus 82% of men age 50 and older. The reverse is somewhat true for women, with 75% of women ages 15-29, 72% of women ages 30-49 and 80% of women aged 50 and over agreeing. And while 85% of men agree that work is important in life, only 49% of women agree with the statement. Other examples are included in Table 12.

Table 12. Gender attitudes (World Values Survey 2007)

Issue	Percentage in Agreement	
	Men	Women
Men should have greater rights to scarce jobs	91%	86%
Men make better business executives	82%	66%
Equal rights between men and women is an essential part of democracy	48%	54%
Disapprove of woman as single parent	97%	99%
Being a housewife is just as fulfilling as working	84%	68%

Control of Economic Assets

Control of economic assets is still heavily tilted towards men in Jordan

Economic growth can promote women's agency by increasing control of economic assets, but obstacles to women obtaining and controlling such assets, including incomes, land, inheritance and pensions, continue to undermine the exercise of agency. As highlighted in the WDR 2012, economic growth can improve the material conditions for exercising agency, through higher incomes, greater access to services and expanded infrastructure. Earning and controlling their own assets increases a women's bargaining power within the household and their ability to accumulate autonomous assets. But *de jure* and *de facto* restrictions on women earning and controlling their own incomes and economic assets undermine progress. In addition to income, land, pensions and inheritance are key personal assets that can positively impact agency. A better understanding of the extent to which women can effectively control economic assets is hampered by the lack of data. Relevant gender data is not routinely compiled or analyzed by line agencies or a central body within the GoJ. For example, data on the extent to which women own bank accounts or receive bank loans is not readily available.

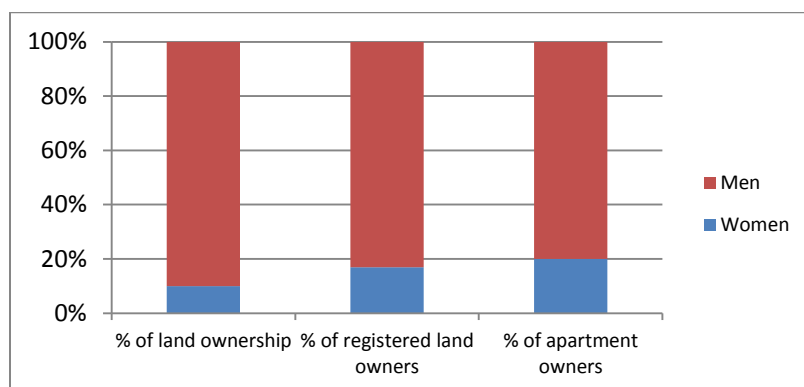
Earning and Controlling Income

Women's ability to earn income is undermined by low labor force participation, wage gaps versus men and unequal distribution of benefits, while social norms can restrict control of incomes earned. Low labor force participation of women in Jordan – at 22% - means that few women are earning an independent income. Those earning incomes are faced with wage gaps versus male counterparts in both the public and private sectors – the average male wage is 1.24 times higher in the private sector and 1.17 times higher in the public sector. Employed women do not automatically receive salary and pension benefits linked to family maintenance and accorded directly to male employees. Instead, they must initiate complicated procedures to demonstrate eligibility. Social norms make it acceptable for male family members, particularly husbands, to exert control over women's incomes. Earlier retirement ages for women in both the private and public sectors mean reduced incomes later in life. Together these factors reduce the income levels and control over those incomes earned, undermining women's ability to increase agency through acquirement and control over economic assets. Married women have an additional source of income from husbands in the form of financial maintenance (alimony), which covers only household essentials such as food, clothing, housing and healthcare. But alimony can be suspended if a woman works outside of the home without the consent of her husband.

Access to Land

Despite the absence of legal restrictions on the ownership, purchase or sale of land by women ownership rates remain low, though registration of land by women is increasing. Women have equal rights in registering land both as individuals, and jointly through marriage. And Jordan has arguably one of the most efficient and effective land administration systems in the region. Yet the percentages of female land-owners and the amount of land owned by women remain low. (Figure 34) This is likely due to several factors. The first has to do with the transfer of land via inheritance. Shares of inheritance are determined as per the *Personal Status Code*, which is based on Sharia principles of inheritance and is administered to both Muslims and Christians. In some instances female heirs receive less shares than male relatives. Property acquired during a marriage is not legally treated as jointly-owned or common property, instead it belongs solely to the person to which it is registered in the land registry. Registering the land jointly to the married couple would allow a woman to automatically retain ownership her portion of the property, and she would be entitled to inherit further shares of the property from her husband's portion of the land. Yet despite the ability to register land jointly for a married couple, and the incentives for doing such for women, the percentage of jointly-titled property remains low – only 12% for land 7% for apartments.

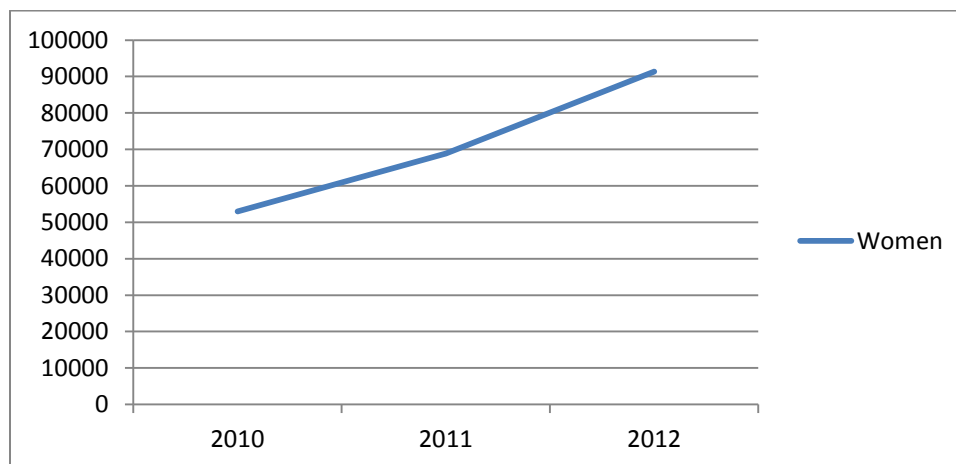
Figure 34. Private land distribution, by gender (Source: Department of Land and Survey)



Social norms further diminish women’s access to land by favoring male heirs in inheritance and providing disincentives for women to purchase land. It is not uncommon for female heirs to renounce their inheritance rights in favor of male relatives – a process known as *takharoj* – in the face of social pressure. The often elaborated justification for the legal inequality of rights and social norms is that men are traditionally expected to provide financially for the family, and thus have a greater need for economic assets passed through inheritance. More historically, there was a concern that placing title in the name of women would expose family land to control by another family through marriage of the woman in question. The Sharia Courts, which administer the divisions of inheritance, have recently introduced procedures to protect inheritance rights of women. Legal and social restrictions on inheritance of land may have a particularly adverse effect on poor women, since often in poorer, rural areas the primary means of transferring wealth is through inheritance of land. In addition, purchase of land by a single or married woman is viewed somewhat as outside of social norms, which is not the case for single or married men, as is the registration of wives as joint-owners of property of their husbands.

Despite legal and social impediments to accessing land, levels of registration of land by women have been increasing in recent years. Though starting from a low basis, levels the overall low percentage of female land-owners the percentage has been rising over the last several years, from almost 14% in 2010 to nearly 17% in 2012, as has the number of yearly registrations by women. (Figure 35)

Figure 35. New registrations of land ownership, by gender (Department of Land and Survey)



Social Security Benefits

Recent amendments to the Social Security Law have the potential to increase women's access to pensions and coverage of social security benefits in the private sector. At present, women comprise only 25% of those covered by social security. Recent legislative amendments should minimize the equality gap in the ability of men versus women to pass pensions to family members through inheritance, and facilitate the inheritance of pensions by women from husbands and children. Another positive reform is the introduction of a universal payroll tax to fund maternity benefits, rather than placing sole responsibility on individual employers of women. This may make it easier for private sector employers to provide maternity benefits to female employees. The social security scheme has also been opened to private sector entities with less than five employees.

But other remaining provisions continue to restrict benefits for female employees. Access to inherited pensions becomes restricted if a woman marries or a widow re-marries, though such restrictions are not placed on men. Upon retirement, additional funds are made available to male employees as family/dependency allowances. For women to receive such allowances, they must demonstrate eligibility through complicated procedures proving that they, and not male relatives are providing financial maintenance to the family or dependents. Women are also provided an option to cash-in their pensions when they become married, widowed or divorced, thus excluding them from future pension benefits. In the case of marriage, the presumption is that once married a woman will terminate employment. No such options are available to men. The Social Security Corporation reports the number of women taking such an option remains quite small, at only fifty women through 2012. Still it has launched a public information campaign to warn women of the financial consequences of cashing-in pensions.

Access to Inheritance

Female heirs, under some circumstances, are entitled to lesser shares of inheritance as compared to male relatives and often face social pressure to renounce rights in favor of male family members. Inheritance of both movable and immovable property is governed by the *Personal Status Code*, with division of assets based on Sharia principles that are applicable to Muslims and non-Muslims in Jordan. There a numerous formula for division of inheritance rights based on the family relationship of those involved. Under a number of these formulas female heirs are entitled to lesser shares of inheritance than

comparable male heirs. One of the most common formulas involves inheritance from parents to children, in which case a female child is entitled to only one-half of the shares of a male child. There are also instances where female heirs inherit equal or greater shares than male relatives. A non-Muslim woman married to a Muslim man is not entitled to any inheritance.

Measures to protect women's inheritance rights have been introduced to address social pressures on women to renounce their rights, and if implemented effectively could ensure greater access to financial assets. Amendments to the *Personal Status Code* in 2010 led to an instruction issued by the Sharia Courts to offer protection to women's inheritance rights, particularly to address the social pressure faced by women to renounce rights, a process known as '*takharaj*', in favor of male relatives. While the Sharia Courts maintain statistics on the number of *takharaj* implemented, the statistics do not include the gender of the persons renouncing the inheritance. Anecdotal evidence suggests that women face considerable pressure in renouncing rights, particularly in areas outside of major urban centers. The instruction provides a three month 'cooling off' period after the division of inheritance rights during which heirs cannot renounce rights, except in special circumstances permitted by the Sharia Courts. If a woman would like to renounce her inheritance rights after the cooling-off period is completed, the court must first explain the impacts of the renunciation and, in the case of immovable property such as land, the property must first be registered in the name of the heirs before it can be renounced and transferred.

Access to Marital Property, Dowries and Alimony

Women face obstacles in controlling property obtained during the course of marriage and in accessing property upon dissolution of marriage. The default property regime for marriage is separate ownership. Spouses maintain individual ownership of assets brought into the marriage, and assets obtained during the marriage are owned by the individual to whom they are registered. If both spouses agree, they can instead apply a community property regime, whereby assets obtained during marriage are jointly-owned while the couple is married and evenly split upon dissolution of the marriage. In the Jordan context a community property regime may prove more beneficial in terms of increasing control over economic assets for women. Low labor force participation and obstacles to accessing other economic assets, such as land and inheritance, mean women in general have less access to economic assets than men and are therefore more reliant on assets obtained by men, particularly husbands, during marriage especially given the low labor force participation of married women. In case of divorce, a woman can end up with very little in terms of the economic assets obtained during marriage, and have few individual assets on which to rely apart from dowries and alimony payments.

There are no legal restrictions on joint ownership of assets, yet such arrangements appear to remain the exception. For example, land obtained during or prior to marriage can be jointly-registered to both spouses, but this is not yet the norm. Only 12% of land and 7% of apartments are under joint-title. Joint title would increase the amount of land a wife would inherit in case of the death of a husband or obtain ownership of in case of divorce. Joint ownership could also potentially increase women's access to credit by providing required collateral. For Muslim women stipulations could be made in marriage contracts that provide for a more equitable dissolution of assets.

Dowries are the legal property of women, but are often turned over to the control of husbands. The *Personal Status Code* provides that the dowry is under the ownership of the wife alone, and that she is not obliged to use assets of the dowry to support the family. The dowry is paid by the husband to the wife under the conditions set by the marriage contract. A husband can use the assets of the dowry, and any other assets the wife brings to the marriage, only with her permission. In practice, women are sometimes pressured by husbands to make the proceeds of the dowry available for him to use. There is no comprehensive data available as to the frequency with which women give such permission to husbands. Anecdotal evidence suggests it is an issue. The danger in doing such is that dowries can be reduced or depleted completely, and in the event of divorce the wife would be left without greatly reduced financial

assets from the marriage. It also diminishes a woman's ability to use her dowry as possible collateral needed for accessing credit during marriage.

Married women are entitled to financial maintenance (alimony) from their husbands during marriage, but can lose it if they undertaking certain behaviors, such as working outside of the home or being disobedient to her husband. A married woman is entitled to alimony (financial maintenance) from her husband during marriage regardless of her independent financial wealth. The amount of alimony should reflect the wealth of the husband, and can be set either by agreement between the spouses or by the Sharia Court. As a minimum alimony should cover the costs associated with food, clothing, housing, and healthcare expenses. However, a woman can lose her right to alimony under the following circumstances: she is employed outside of home without the express or implied consent of her husband; her employment is not legal; she leaves the marital residence without justification; she is disobedient to her husband. Upon divorce, a woman is entitled to alimony only for a period between one to three years, and anecdotal evidence suggests alimony amounts are relatively low. If the husband fails to pay alimony, the wife can file a claim in court to recover the funds. However, enforcing such court decisions is difficult.

Family and Personal Life

Women continue to face considerable obstacles in exercising agency in family and personal life, constrained by a combination of laws and social norms

Despite some recent improvements in the legal framework, women's agency in relation to family and personal issues remains heavily restricted by legal frameworks and social norms. Family roles and boundaries on personal freedoms are based heavily on the social concepts of the family in which the husband is the head-of-household, and as such is responsible for financial support of the family and for making important decisions regarding family life. The wife is responsible for caring for children and must be obedient to her husband, for which she is to be provided financial security. These norms have heavily influenced legislation regulating family life. Legal guardianship of children is allotted to men during marriage and after divorce, while physical custody is usually provided to women upon divorce. While women can legally challenge the presumptive allocation of rights within the family in order to bring more equitable family roles, doing such often involves complicated and cumbersome legal procedures.

Participation in Household Decision-Making

Women's participation in household decision-making varies according to issues, as well as education levels, wealth and employment. Participation in household decision-making is an important aspect of exercise of agency by women, and in Jordan is constrained primarily by social norms regarding the roles of men and women within the family. This is reflected in the Jordan Population and Family Health Survey 2007 (JPFHS Survey 2007), which measures participation in decision-making in four areas. (Table 13) The survey demonstrates that, with the exception of decisions related to a woman's healthcare, most decisions are made jointly by husbands and wives, with husbands exerting the most influence in decisions related to household purchases. The area where husbands exert the most influence as decision-makers involves major household purchases, whereas women exert the most influence in relation to decisions regarding their own healthcare and purchases of daily household needs.

Table 13. Women's participation in decision-making

Issue	Mainly Wife	Wife and Husband Jointly	Mainly Husband
Woman's Own healthcare	46	44	9
Major Household Purchases	11	60	28
Purchases of daily household needs	31	43	24
Visits to Woman's Relatives	11	74	14

Women with higher education levels, women who work, and women living in the wealthiest households are more likely to participate in decision-making, with little regional variation. For example, 68% of employed women participate in decision-making for all four issues in the above table, whereas only 53% of unemployed women do the same. Women with no education or elementary education participate in roughly 40% of decision-making across all four issues, while those with secondary and higher education participate in 54% and 64% of decision-making, respectively. Those in the two highest quintiles of wealth participate in 60% and 64% of decisions, respectively, with those in the two lowest quintiles participating in 50% or less of decisions. This demonstrates the linkages between education, employment and control of economic assets and increased women's agency.

Participation in household decision-making also has positive correlations with attitudes towards domestic violence, a woman's right to refuse sex with her husband, use of contraception, and ideal family size. Women reporting participation in all four categories of household decision-making are more likely to disagree with justifications for domestic violence and agree with justifications for refusing sex with her husband. It also positively impacts access to contraception, with current use of contraceptive methods rising from 33% for women who do not participate in any decision-making to 44% for women involved in decision-making in three to four of the defined categories. Women exercising decision-making in three to four categories also report lower levels of ideal numbers of children; greater access to family planning for both spacing and limiting of children; and lower levels of domestic violence.

Marriage Procedures

Restrictions on how, and who, a woman can marry decreases women's agency. Women need the consent of a male guardian in order to marry, and to marry in the absence of this consent requires permission of the Sharia Courts. All marriages in Jordan must be concluded by religious authorities based on the religion of the parties. Marriage for Muslims is regulated by the *Personal Status Code*, and marriage for Christians by the respective Ecclesiastical regulations. A Muslim Jordanian woman can marry only a Muslim man, while a Muslim Jordanian man can marry a Muslim, Christian or Jewish woman. There is no civil marriage, and unlike other countries in the region, Jordan does not recognize civil marriage of Jordanian citizens outside of Jordan. What this means in practice is that Jordanian citizens are unable to opt out of religious frameworks for the governance of marriage, whereas civil marriage might provide more equality in terms of how marriages are conducted and the division of marital assets upon divorce.

Legislative amendments provide increased flexibility for women to protect financial interests and regulate dissolution of marriage, but male guardians must still sign a marriage contract on a woman's behalf. The marriage contract establishes terms and conditions of marriage for Muslims and must be concluded prior to the marriage. Amendments to the *Personal Status Code* allow women to

include stipulations to safeguard their interests, provided they do not contradict Sharia principles. Possible stipulations include: allowing a woman to file for divorce without justification; forbidding husbands from moving the family residence to a new city; restricting a man from taking a second wife; or guaranteeing the wife's right to work outside of the home. Failure to abide by the marriage contract is grounds for divorce. Given the amendments are relatively recent, it is difficult to measure any impact for women, and it remains unclear whether stipulations can include community property. A male guardian (family member) must still sign the marriage contract on behalf of a woman under the age of 35. The marriage contract must be witnessed by two witnesses, but a woman's testimony is not equal to that of men – the testimony of one man is equal to that of two women.

Women can still be married below the legal minimum age of eighteen years old, down to the age of fifteen. The minimum legal age for marriage men and women is eighteen in Jordan. However, in certain cases where special considerations are involved, a female between the ages of fifteen and eighteen can be married with approval of the Sharia Courts if it is deemed in the best interest of those getting married. Under such circumstances a woman is supposed to continue her education, though in practice this is not always the case. When conducting marriages below the age of eighteen, there are no clear procedures for determining the consent of the minor female. In practice, such marriages have been arranged in cases of rape of the minor female and for financial considerations. In the case of the former, the justification is to protect the reputation of the minor female or to protect her from potential violence, such as honor crimes, for having sex outside of marriage. Early marriage can limit a woman's educational and economic opportunities, not least because of the possibility of early pregnancy and childbirth. As noted in Chapter 1, the marriage gap in economic participation is even larger among women aged 22-29, suggesting that early marriage causes an even earlier exit from the labor market.

Divorce and Separation

There remain inequitable grounds and procedures for initiating divorce, with the grounds for divorce initiated by women more restricted and the procedures more complicated. Husbands can initiate divorce without any justification, a process known as '*talaq*'. Wives, on the other hand, were previously restricted to requesting divorce based on the fault of the husband, which must be proved in court and is a considerable burden as compared to the unilateral divorce allowed to men. Court procedures related to divorce can take several years and require witnesses, and the testimony of one male witness equals that of two women. Even in cases where domestic violence is alleged as the basis for divorce, a wife must still produce two witnesses. There is no legally-defined separation in Jordan. However, a wife can leave the marital household and maintain her rights to alimony only in limited cases, such as domestic violence and concern for the security of her economic assets, such as her salary and dowry. But she would need to prove these circumstances in court.

New procedures available to women allow for divorce without a husband's consent, but require renouncing rights to economic assets of the marriage. In 2001, a temporary law introduced '*khulo*' divorce, through which a woman can receive a divorce against the objections of her husband and without justification only if she renounces her rights to dowry, any other gifts provided by her husband and future alimony. The amendments to the Personal Status Code included the extension of this method of divorce under a new term – *iftidaa*. The change of terms was made to address the social stigma associated with *khulo* divorce. However, such divorces may only be practical for wealthier women who do not need to retrieve any financial assets from the marriage. Women can include the right to unilateral divorce in their marriage contracts, but it remains unclear how often this is possible given the husband must agree.

Guardianship, Child Custody and Family Books

Legal guardianship of women and children is accorded to male relatives as a rule and for women to assume legal guardianship requires complicated legal and court procedures. Legal guardianship

(*welaya*) is reserved primarily for men. If a woman is unmarried and under age thirty or previously married she must have a male guardian. Previously the age limit had been set at forty. Disobedience towards a guardian can result in termination of financial maintenance. A father is the legal guardian of all children, while a mother is entitled only to custody in case of divorce. If a father can no longer act as guardian, guardianship is passed to his male relatives (father). If a mother cannot act as custodian, the right of custody passes to the maternal grandmother and then to the paternal grandmother before vesting in the father.

While mothers are accorded physical custody of children in case of divorce, as a rule fathers and other male relatives exercise legal guardianship over children, thus minimizing the role of the mother in making major decisions about the children's welfare. In case of divorce, a mother is granted custody of children until the age of fifteen³⁰, after which the child can choose the custodial parent. However, the father remains guardian and as such is responsible for all major decisions related to the child, including decisions related to education. Where financial benefits accrue to a child, for example through the National Aid Fund or other cash benefits, the benefits are accorded to the father to administer on behalf of the child. Divorced women can be placed in the awkward position of taking care of the physical needs of the child without access to adequate financial assets. While fathers are required to pay child support payments, this can be difficult to enforce due to difficulty in enforcing court orders in Jordan. A woman loses custody of her children if she re-marries and cannot conduct visitation with them in her new marital home – these restrictions do not apply to men. If a mother has custody, she requires her husband's consent to travel with them outside of the country, if a father has custody the mother must obtain a court order to stop him from traveling abroad, which is a more complicated process.

Women can now maintain their own family books, which are required for administrative procedures, but cannot include their children. Guardianship is recorded in a document called the family book (*daftar al-a'ilah*). The family book is needed for a large number of administrative procedures, including accessing social services, applying for personal documents, registering children for school and employment in the public sector. Before marriage, a woman remains in the family book of her father or another male relative, after marriage a woman is transferred to the family book of her husband. A divorced or widowed woman can start her own family book, but she cannot include children in it. In case of divorce, children remain in the family book of their fathers, and for widows the children would be placed in the family book of their male guardian, which would normally be a male relative of the deceased husband. These measures exclude mothers from decision-making on the welfare of their children.

Violence against Women and Moral Offenses

A considerable number of Jordanian women report suffering domestic violence. An important aspect of women's agency is protection from acts of violence against them, which is also a basic human right. Determining the exact extent of violence against women in Jordan remains difficult given the considerable likelihood that women avoid reporting such acts due to social norms against involving authorities in what is viewed as a family affair, and the potential for damaging the reputation of the extended family. The JPFHS Survey 2007 highlighted that almost one-third of ever-married women reported having been subjected to violence, with 13% reporting abuse within the twelve months leading to the survey interview. Divorced women reported the highest level of violence (74%), followed by widows (38%) and married women (31%). Rates of reported violence are roughly the same in rural and urban areas, as well as for employed and un-employed women. Women with no education (43%) and in the lowest wealth quintile (38%) were the most likely to report violence, versus women with higher education (26%) and in the highest wealth quintile (28%) the least likely. The more educated the husband, the less

³⁰ Non-Muslim women lose custody of a child when the child reaches the age of seven.

likely the wife reported violence. Violence was least likely when both spouses had the same level of education. Current or ex-husbands are reported as the abusers in 64% of cases.

Current social norms related to domestic violence manifest themselves in women's attitudes that domestic violence is justified under certain circumstances. The JPFHS Survey 2007 demonstrates that social norms also affect addressing domestic violence. It found that 90% of ever-married women accept at least one rationale for violence by a husband against his wife, with levels of agreement varying based on the behavior of the wife – relations with another woman 88%; insulting husband 66%; disobeys husband 55%; neglects children 42%; travels outside of home without informing husband 35%; argues with husband 16%; and burns food 8%. But agreement with these rationales varies by employment status, education level and wealth of the household. For example, those agreeing with at least one of the rationales for violence against a wife are as follows: 79% of those in the highest wealth quintile versus 96% of those in the lowest; 84% of with higher education versus 98% of those with none; and 83% of employed women versus 91% of those without employment.

New legislation and institutional frameworks may improve the environment for addressing acts of domestic violence against women, but some gaps remain. New legislation on domestic violence came into effect in 2008 (*Law on Protection from Domestic Violence*) that is aimed at addressing domestic violence. While containing a number of positive legal reforms, it also creates a number of gaps. (Table 14)

Table 14. Framework for Addressing Domestic Violence

Positive Reforms	Continuing Gaps
<ul style="list-style-type: none"> Establishment of separate, specialized institutions to address domestic violence covering investigation, protection and reconciliation/mediation Introducing confidentiality to proceedings to protect victims Positive duty for social and education service providers to report suspected abuse Introduction of new mechanisms to ensure protection of victims, including protection orders, detention and imprisonment of aggressors Introduction of compensation for victims Departments covering domestic violence have been established at the Ministries of Health, Education, Justice and Social Development The National Council for Family Affairs (NCFA) and the National Center for Human Rights (NCHR) are developing a database to document and track reported cases 	<ul style="list-style-type: none"> Law only applies to limited scope of aggressors with family relations to the victim, and excludes ex-husbands and boyfriends Excludes as aggressors anyone not living within the formal residence of the victim Emphasis on reconciliation as a first and preferred outcome over protection of victims Domestic violence cases are actually prosecuted under general provisions on assault and battery Few shelters have been set up to house victims of domestic violence – to date only two such shelters are functioning (MoSD and Jordan Women's Union) Services limited outside of Amman

Implementation of the new legislation rests primarily with the newly-established Family Protection Departments of the Ministry of Interior, which are located throughout Jordan. To provide security to victims, protection orders can be issued that require the perpetrator to remain away from the family residence or from the alleged victim, with some orders lasting up to six months. Alleged abusers can also be fined and imprisoned for violating protection orders, or administratively detained for brief periods to provide temporary protection to victims. Family Reconciliation Committees were established to provide mediation and reconciliation services, though there is concern over the emphasis on reconciliation over protection, which may be better suited to cases of general marital discord as opposed to physical violence.

One of the primary weaknesses is that the legislation does not cover ex-husbands, boyfriends or family members living outside of the residence of the victim. The JPHFS Survey 2007 showed that fathers, brothers and mothers of victims are often reported as perpetrators, and these relatives may not live within the same household of the victim.

Legislation allows for rape and sexual abuse charges to be dropped if a perpetrator agrees to marry the victim. Under the *Penal Code*, charges of rape and sexual abuse can be dropped if the perpetrator marries the victim for a period of at least five years. In such cases there are no clear procedures for determining the consent of the victim to such a marriage. In practice, female victims may be pressured into accepting such arrangements in order to avoid shame on themselves and their families, and to protect themselves from becoming victims of additional crimes by family members to protect family honor.

Penalties for crimes against women by family members can be mitigated when such crimes are committed to protect family honor. The penalties associated with convictions of males for assault, battery and murder of female relatives involved in adultery can be mitigated if the adultery is witnessed – frequently referred to as ‘honor crimes’. It is not uncommon for male perpetrators in such circumstances to receive prison sentences of only six months to one year. While technically female perpetrators are entitled to such mitigating factors, this is only permissible if the adultery is witnessed by them within the family home – such a restriction does not exist when the perpetrator is a male.

Administrative detention is sometimes used against women suspected of involvement in crimes with a moral dimension, either on the basis of protecting them from socially sanctioned crimes or to pressure them against actions that conflict with family. The *Crime Prevention Law* (Law No. 7 of 1954) allows for executive authorities to administratively detain individuals when done so to provide protection to the individual. Anecdotal evidence suggests women are sometimes administratively detained without limit as a form of protective custody by these authorities to offer them protection where they are at risk of becoming a victim of an honor crime committed by family members, or even in cases where they have taken actions in contravention of family members.

Nationality and Residency

Jordanian women are restricted in passing nationality to spouses. A Jordanian man married to a non-Jordanian woman can pass nationality to her if he chooses to do so. If the wife is not granted nationality, for example if the husband withholds permission, in case of divorce she would lose her residency in Jordan and custody of the children. A Jordanian woman cannot pass nationality automatically to a non-Jordanian husband, but must instead her husband must meet strict criteria, including: investment in the country; residence for at least four years with intent to remain permanently; and legal employment that does not compete with Jordanian citizens. Without nationality, the foreign spouse must apply for a residency permit in Jordan, which is not guaranteed and requires the foreign husband to possess a valid work permit, have a viable source of income, invest in the country and have suitable academic or professional qualifications. The justification for restricting the passage of nationality is often linked with non-interference with the Palestinian right of return and the GoJ’s inability to provide social services to large number of new citizens.

Jordanian women are also restricted in passing nationality to children, with negative impacts on residency and access to rights and public services for her family members. A Jordanian man can automatically pass nationality to his children, even if born to a non-Jordanian mother. A Jordanian woman cannot pass nationality to her children unless the father is unknown or stateless, nor can she provide a basis for their residency in Jordan. The mother must instead seek residency for her children based on humanitarian grounds, which is not guaranteed and requires complicated administrative procedures that must be regularly undertaken. The result is that children born to a Jordanian mother and foreign father can be excluded from education and other social benefits, and cannot participate in political

life. Jordanian women also cannot include in their passport the names of their children, which complicates her ability to travel with them. She can request a family book in her name, but cannot enter the children because she is not considered a legal guardian.

Access to Personal Documents and Travel

Women may also be legally required to obtain a husband's permission to obtain a passport. Women face no legal restrictions in traveling within Jordan, or outside of it once they have a passport. A woman over the age of eighteen can obtain a passport without the consent of a male guardian. Under previous legislation a married woman needed the consent of her husband to obtain a passport. Subsequent amendments removed this requirement. However, this amendment was done through a temporary law that was later rejected by the GoJ for unrelated reasons, meaning that the old law takes immediate effect and women are once again required to seek permission of their husbands to obtain a passport. At present it is unclear to what extent the old law is being applied to married women seeking passports. Women's passports also record their personal status – single, married, divorced or widowed – while no such information is included in the passports of men.

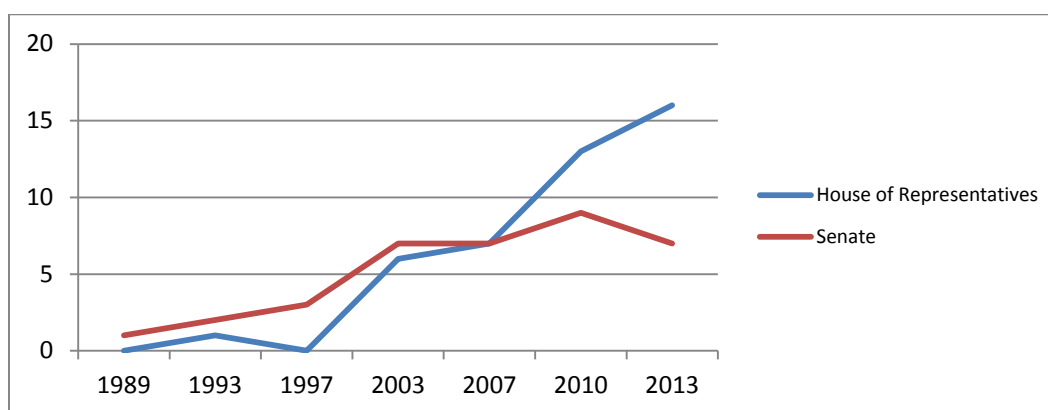
Women continue to face some obstacles when traveling with children outside of the country. As a father remains legal guardian of children, even after a divorce, he must consent to travel of his wife and children outside of Jordan without him, and a woman is required to prove such consent. Consent can be implied if the children are added to the passport of the mother, but the father must consent to this as well. Men face no such restrictions when traveling with their children.

Voice and Political Participation

Despite steady but slow progress, women remain under-represented in the three branches of government

Despite some progress, women's representation in the national legislature remains small. The number of women in the House of Representatives, the elected lower house of parliament, has been steadily growing, partly bolstered by amendments to the *Election Law* that increases the quota of women's seats from twelve to fifteen. The percentage of female candidates has also risen, from just under two percent in 1989 to nearly eighteen percent in 2013. But the current number of women in the House of Representatives – at eighteen – is just barely over ten percent of the total number of representatives. However, three of these seats were won by women outside of the quota, which represents the highest number of women winning independent seats. In the Senate, which is the appointed upper house of the National Assembly, the number of women serving has mostly stalled for the last decade, with only seven women currently serving. Women's participation in political parties has also been steadily increasing. The Jordan National Commission for Women reports that as of 2009, women accounted for 29% of representation in the general assemblies of registered political parties versus only 7% in 2005.

Figure 36. Number of women legislators



Women are considerably under-represented in higher-level positions within the executive authority, but more progress has been seen in local government. Women have never accounted for more than 15% of Cabinet positions, and there is currently only one woman minister. More progress has been seen in increasing representation of women at local levels of government. Since 1995, the number of women serving in municipal councils has risen from 30 to 241 in 2007, which is at least partly due to the establish of a quota of 25% for female representation. Between 1990 and 2009, the percentage of women in the diplomatic services rose from 2% to 18%.

The percentage of women in the judiciary has been slowly growing, but women are clustered in lower-level positions. In 1990 there were no women in the judiciary, but as of 2011 the percentage of female judges reached 12%. However, there are no women at the highest levels of the judiciary, and 82% of women in the judiciary are at the two lowest categories of ranking. The first female public prosecutor was appointed in Amman in 2010. There are no female judges in the Sharia Courts, nor have any women been appointed to the newly-established Constitutional Court. However, there is now rough gender equality in the Judicial Training Institute.

The rate of women's participation has been growing in professional associations as well, but they remain somewhat clustered in areas more socially acceptable for women and underrepresented in governing bodies. Overall, the percentage of women in professional associations is almost 28% and the rate of female participation was 33% in 2012, up from 19% in 1997. The associations with the highest percentages of women are those involving nurses (56%), geologists (56%) and pharmacists (54%), while those with the lowest involve contractors (0%), certified accountants (2%) and artists (13%). Women's participation in administrative bodies governing professional associations remains low. Overall women account for only 5% of members of governing councils. As of 2010, women accounted for only 22% of the membership of trade unions, a percentage that has barely increased since 2007. Women's participation in the governing councils of trade unions as of 2010 is also low, accounting for only 12%. They form the majority only on the governing council of the union representing textile and garment workers. Participation in business associations is even weaker. Women account for only 1% of members of the chambers of commerce and 5% of the members of the chambers of industry.

Ensuring the conditions for greater women's economic participation is an important step towards greater engagement in the professional and political life. Greater economic participation generates substantial positive externalities in the form of greater civic and political participation. As argued by Amartya Sen, education and participation in paid employment are important determinants of female voice and agency in a society's decision-making processes. In turn, women's economic empowerment and

agency reinforces her ability to join the labor force on her own terms and benefit directly from their employment.

Promoting Access to Justice

Broadly defined, access to justice refers to the ability of persons to effectively enforce rights and achieve redress for complaints. Access to justice depends on a number of factors, including: an adequate legal framework establishing rights and the procedures for enforcing them; public awareness of rights and the means to enforce them; and effective delivery of services by justice sector institutions, including public sector institutions and civil society organizations. Justice sector institutions provide numerous direct services to citizens. In the public sector, these are commonly focused around court proceedings, involving criminal, civil and family law cases. Other services cover alternative dispute resolution, such as mediation, negotiation and reconciliation. Civil society organizations often compliment and fill the gaps in public sector services, usually focusing on issues such as public information and awareness, and provision of legal aid services to vulnerable persons.

Access to justice is directly linked to the issue of agency – whereas agency defines the legal and social boundaries of rights and practices, the concept of access to justice covers the tools and mechanisms aiding persons in exercising these rights. In terms of gender equality and eliminating gaps in the exercise of agency, the ability of women to access justice determines to a large extent whether they are able to effectively challenge constraining social norms and discriminatory legal frameworks. Women, like men, face general obstacles to accessing justice, such as: lack of awareness of rights; limited understanding of how services function and how to access them; complicated procedures linked with services; and limited financial resources to pay court and lawyer fees. But these obstacles may be more considerable for women, through a combination of discriminatory laws, social norms that pressure women against pursuing their rights, and biased delivery of public sector services. The ability of women to effectively access justice sector mechanisms, such as courts, is essential for them to challenge social norms and discriminatory legal frameworks. It also allows them to obtain economic assets wrongfully denied them. For example, assets related to family law (alimony, child support, inheritance) and social welfare benefits, such as those from the National Aid Fund, are particularly important assets for poor women.

Justice and Gender in Jordan

Working towards a better understanding of demand

The GoJ launched a major initiative to increase understanding of the demand-side of justice sector services through a household survey. To help enhance data on demand, in 2012 the Department of Statistics implemented the Statistical Survey on the Volume of Demand for Legal Aid (DoS Justice Sector Survey), a survey of 10,000 households focusing on the justice sector – the first of its kind in Jordan. Administered in rural and urban areas, the survey covers a number of key issues important to assessing access to justice, including: identifying the most common types of legal cases; accessing courts and lawyers in terms of costs and knowledge of services provided; access to and familiarity with legal aid services; and the economic characteristics of families and individuals with legal disputes. Disaggregation of data based on the gender and monthly expenditure levels of respondents is now providing valuable information on the types of issues most affecting women, and the steps they take to address them.

But data gaps on demand and the extent of service delivery remain in relation to access to justice for women. Attempts to better understand demand through analysis of existing service delivery are limited, despite the collection of some basic data by public sector institutions including the Ministry of Justice, the Ministry of Interior, the Ministry of Labor (Labor Courts) and the Complaints Management Unit of the Ministry of Public Sector Development. Such data is not routinely compiled into usable

formats, or analyzed to shed light on demand and inform service delivery improvement in terms of improving access to justice for women. And public sector data is not routinely made available to other stakeholders, such as CSOs and academics. Nor is it easily available through the access to information framework currently in place, which suffers from a weak administrative framework and lack of clarity as to which information should be made available.

Social norms play a role

Women are more likely to avoid going to court because of social norms, and perhaps more likely to seek assistance from CSOs. There are no formal restrictions on women accessing court services, but social norms may prove a disincentive for women to seek justice through formal institutions. The DoS Justice Sector Survey found that women are more likely than men – 26% versus 17% - to report avoiding court due to customs and traditions. Anecdotal evidence suggests women face societal pressures to avoid pursuing disputes, particularly in relation to personal status issues and domestic or sexual violence. Social pressure may also steer women from initiating claims directly with formal institutions – according to the Justice Center for Legal Aid (JCLA), a civil society organization and the largest single provider of legal aid service in Jordan, nearly 70% of requests for legal aid assistance come from women.

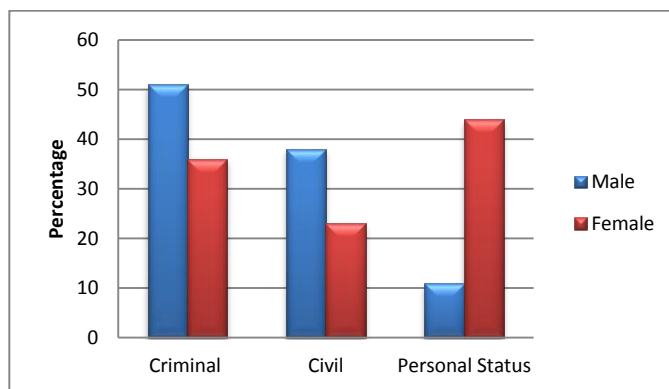
Women and men report different levels and types of disputes

The survey found that men and male-headed households were much more likely to report having had legal disputes. As individuals, men were three times as likely as women (75% for men versus 25% for women) to report having had a legal dispute in the last five years. Of the households reporting disputes, 92% were headed by men and 8% headed by women. It is unclear from the data the extent to which men, in general, have more legal disputes or are simply more likely to report them. The reality is likely a combination of both, given the traditional and legal role of men as family guardians, requiring them to undertake more transactions and exposing them to more potential disputes, and societal pressures on women to avoid raising disputes through formal mechanisms.

Women tend to experience different types of disputes than men, primarily involving personal status issues. Personal status issues (divorce, alimony, child custody and support, inheritance and access to dowries) are of prime importance to women. Of respondents claiming to have experienced a legal dispute, women were nearly four times as likely as men to have an issue related to personal status law – 41% of women versus 11% of men. Women were less likely than men to report legal disputes related to criminal or civil law. (Figure 37)

Figure 37. Categories of reported disputes, by gender

(Source: Statistical Survey on the Volume of Demand for Legal Aid, Department of Statistics)



This trend is also reflected in the caseload of JCLA, where women were almost ten times as likely to request counseling for personal status issues, and eighteen times as likely to qualify for legal representation for such cases. (Table 15).

Table 15. Case Statistics, Justice Center for Legal Aid (May 2013)

(Source: JCLA Caseload)

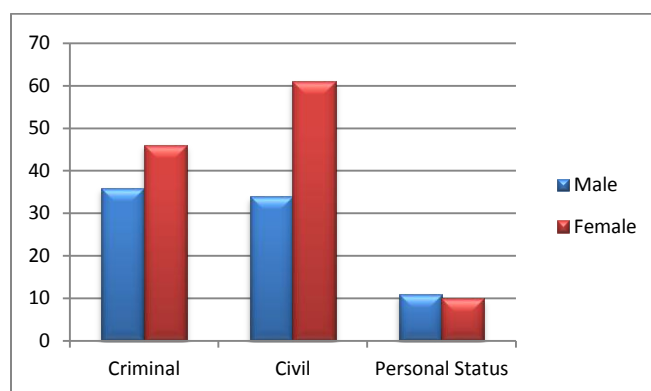
Case Type	Most Frequent Issues	Consultations		Representation	
		Male	Female	Male	Female
Civil	Landlord-Tenant, Loans, Damages, Commercial Papers	141	115	81	54
Criminal	Assault, Property Damage, Fraud, Attempted Murder, Theft, Domestic Violence	70	43	106	39
Personal Status	Divorce, Alimony, Parental Visitation, Dowries	58	538	24	435
Administrative	Drafting Contracts, Assistance with Administrative Procedure, Personal Documents	56	30	49	12
Total		325	726	260	540

Women and men use courts and lawyers differently

Women and men use courts in varying levels based on the type of case, with women most likely to go to court for personal status issues. There are variations in the types of disputes men and women will bring to court. (Figure 38) Women were more likely than men to avoid going to court for criminal and civil disputes, but not for personal status cases, which suggests that personal status issues are viewed by women as more critically impacting their lives. This might be partly explained by the fact personal status cases involve access to economic assets that are exclusively available to women (alimony and child support); primarily available to women (dowries); and represent a considerable source of economic interests for women with limited access to assets (inheritance).

Figure 38. Percentage of respondents with actionable disputes who do not bring cases to court, by case type

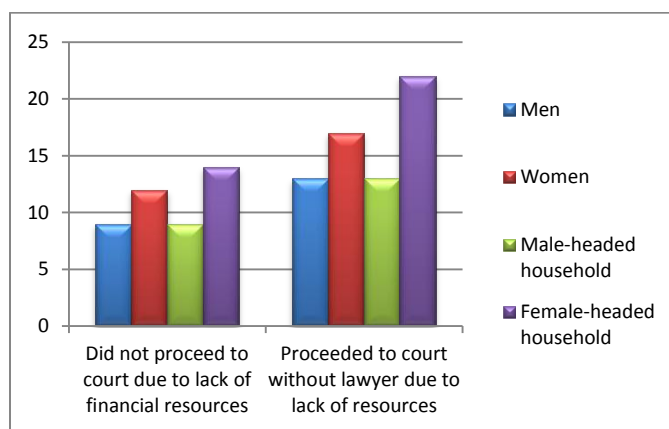
(Source: Statistical Survey on the Volume of Demand for Legal Aid, Department of Statistics)



Women are more likely to report avoiding court because of lack of funds, and when they do go to court, are less likely to be represented by a lawyer. Access to financial resources in addressing disputes is more of a constraint for women than for men, and even more so for female-headed households. The DoS Justice Sector Survey demonstrates that women and female-headed households were more likely to avoid filing claims in court because of lack of financial resource, and were more likely to proceed to court without a lawyer because of inability to pay lawyer fees. (Figure 39) Proceeding to court without legal representation would be even more risky if the other party can afford a lawyer. Men's greater control of economic assets suggests they may have greater ability to hire a lawyer, which is reflected in the survey. Thus the lack of a comprehensive system for providing free legal representation and waiving of court fees for persons that cannot afford them has a considerable negative impact on poorer women needing to enforce their rights.

Figure 39. Non-use of courts and lawyers due to financial constraints, by gender

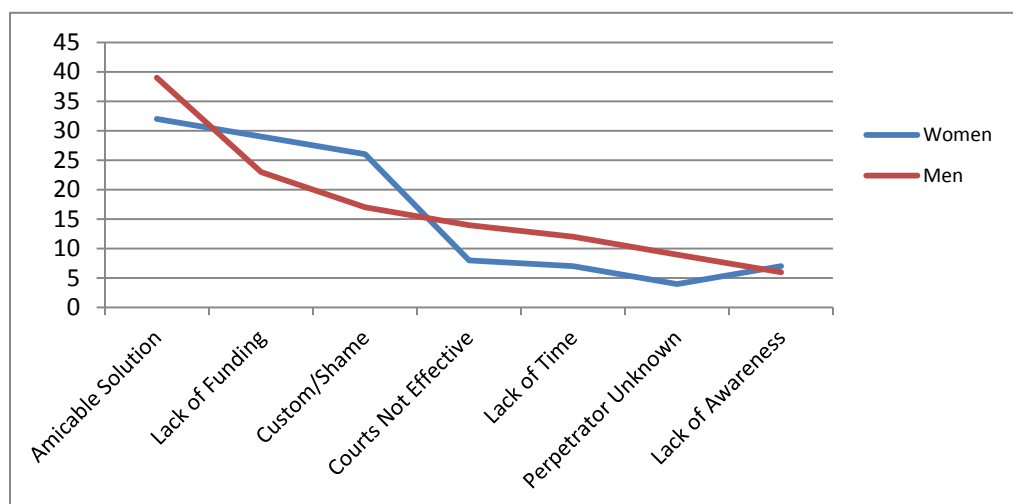
(Source: Statistical Survey on the Volume of Demand for Legal Aid, Department of Statistics)



Women are less likely to find amicable solutions for their disputes, but are generally as informed as men about the procedures for accessing courts and lawyers. Almost 40% of men reporting disputes were able to solve them amicably, while only just over 30% of women were able to do the same. This suggests men may have more access to informal means of dispute resolution. The DoS Justice Sector Survey also suggests that women find courts more effective than men, and that men find the lack of time to pursue court proceedings more of a problem than women. It also suggests women are more likely to know the perpetrator when a crime is committed against them. In terms of awareness of court procedures and the process of hiring a lawyer, women and men are nearly identical.

Figure 40. Reasons for not filing case in court, by gender

(Source: Statistical Survey on the Volume of Demand for Legal Aid, Department of Statistics)



Justice, Gender and Poverty

Poor women and men continue to face unique obstacles to accessing justice. As is the case with delivery of services in other sectors in Jordan, justice sector services often prove difficult for poor persons to access. In Jordan, obstacles include: weak policy development and implementation lack of awareness of available services and the procedures to access them; overly-complicated procedures for proving eligibility and accessing services; and the relatively high costs related to fees for services. While some policies have included access to justice as a component, most notably the Judicial Upgrading Strategy (2010-2012), no comprehensive actions were developed or implemented, and few resources have been made available to address access justice gaps. Other GoJ actions have acted to undermine access, in particular the raising of court fees and lowering the monetary threshold to 1000JD in civil cases for which individuals must be represented by a lawyer. Courts costs are already high in Jordan. Based on the indicator ‘Enforcement of Contracts’ in the World Bank’s Doing Business Report 2012, costs, as a percentage of the value of the claim, are as follows: Jordan – 8%; Syria – 4.5%; Lebanon – 3%; Iraq – 2.3%; West Bank & Gaza – 2.2%; and Egypt – 1.3%.

Services targeted to the poor – legal aid and deferment of court fees – are highly underutilized and poorly targeted, especially to poor women. State-sponsored legal aid services are available only for cases involving serious crimes, although the demand from women and poor persons is focused around personal status and civil issues. Procedures for accessing services are complicated, requiring many steps that burden applicants and court staff. Eligibility for services is based on poverty, but there are no clear criteria for ascertaining it, so determining eligibility is time consuming and awarding services is ad hoc. Potential beneficiaries are mostly unaware of services - the DoS Justice Sector Survey showed 98% of survey respondents were unaware of existing legal aid providers. And of the 2% that were aware of services, only 17% tried to access them. The primary reasons for not accessing legal aid services included lack of knowledge how to reach service providers (35%) and complicated procedures for securing services (27%). Anecdotal evidence suggests legal aid and court fee deferment services are rarely provided, at the same time individuals who did not access courts because of costs expressed overwhelming willingness (more than 83%) to do so if they received assistance in covering certain costs,

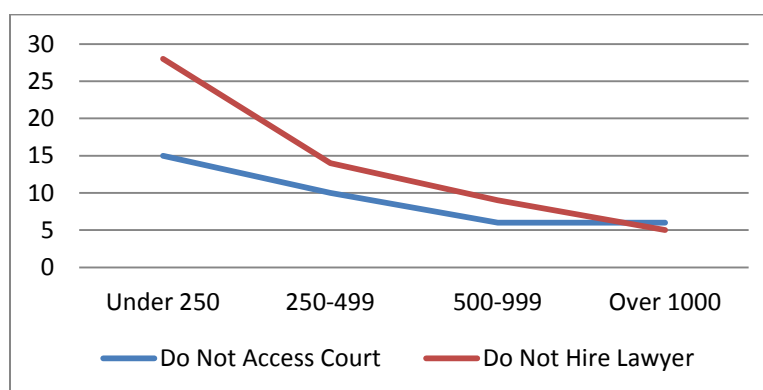
such as lawyer and court fees. Provision of such services is particularly important for poor women, since they are more likely to avoid court because of associated costs.

The poor have higher demand for dispute resolution, but more limited access to courts and lawyers.

Poorer families are more likely to report actionable legal issues. More than two-thirds of respondents reporting actionable legal issues – 68% - fall into the two lowest categories of expenditure levels, with only 6% falling within the highest expenditure category.³¹ At the same time, and perhaps unsurprisingly, poorer families are less likely to go to court when they have a dispute, and when they do go to court, are less likely to have the assistance of a lawyer due to financial restraints. (Figure 41) When viewed in the context that women in general are less likely to start court procedures when they have a dispute and more likely to go to court without a lawyer, these findings suggest that poor women are particularly disadvantaged in terms of access to courts and lawyers, and the current poor delivery of legal aid services and deferment of court fees does not aid in addressing this gap.

Figure 41. Use of courts and lawyers, by expenditure category

(Source: Statistical Survey on the Volume of Demand for Legal Aid, Department of Statistics)



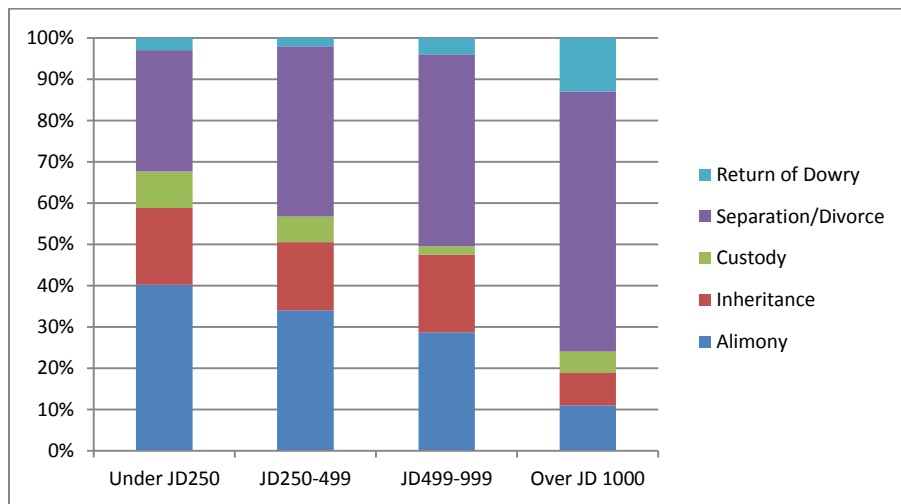
The most frequent types of cases reported vary with levels of affluence of respondents, with poorer persons more likely to have personal status issues.

Poorer persons are more likely to be involved in personal status versus criminal disputes, while the reverse is true for those with higher expenditure levels. And it is within the category of personal status cases that the greatest variation between respondents of different expenditure levels is observed, with the lowest two categories of expenditure levels accounting for 79% of cases. This trend is also reflected in an analysis of the caseload of the legal aid centers of the JCLA, which provides services directly to poor persons. The largest percentage of cases in 2012 for both counseling and representation (71%) involved personal status issues, followed by civil and then criminal cases. Within the category of personal status issues, there is an additional variation in terms of the most common types of cases. (Figure 42) Apart from personal status issues, poor women report higher levels of domestic violence – 38% of women in the lowest two wealth quintiles versus 28% of women in the highest two wealth quintiles – according to the JPHFS Survey 2007. The DoS Justice Sector Survey also showed that poor women were more likely to report criminal disputes involving violation of public decency. The lowest two expenditure categories accounted for one hundred percent of cases reported by women, and the lowest expenditure category accounted for 42% of reports coming from women, while men in the same expenditure category reported now cases at all.

³¹ The categories of expenditure levels per month used in the survey are: less than 250 JDs; between 250-499JDs; between 500 and 999JDs; and over 1000 JDs.

Figure 42. Breakdown of personal status cases, by expenditure levels

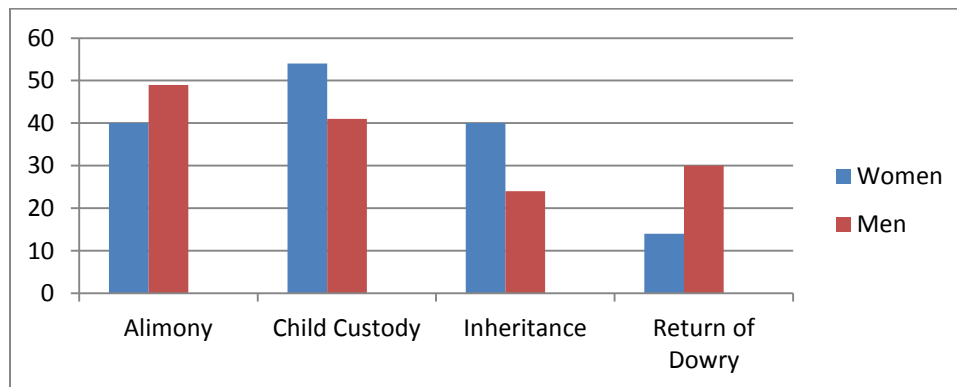
(Source: Statistical Survey on the Volume of Demand for Legal Aid, Department of Statistics)



Alimony and inheritance cases are of more importance for poorer persons, while divorce and access to dowries are more important for persons with more resources. Within the lowest category of expenditure levels, the widest gaps between women and men in reported disputes involve alimony, child custody, inheritance and return of dowries. Women report more disputes related to inheritance and child custody, the latter which provides entitlement to child support payments, while men report more disputes related to alimony and return of dowries. (Figure 43)

Figure 43. Gender gaps in reported disputes for the lowest expenditure category (less than 250JD)

(Source: Statistical Survey on the Volume of Demand for Legal Aid, Department of Statistics)

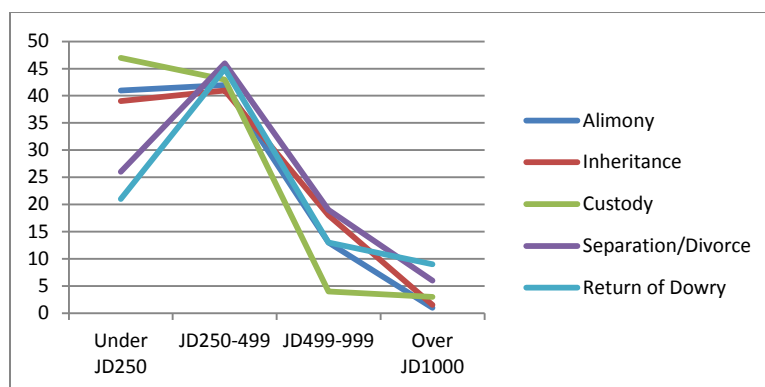


Poorer persons, including women, appear more willing to fight for economic assets (such as alimony, inheritance and dowries) that might be viewed as inconsequential to wealthier persons. Overall, poorer persons form the bulk of respondents affected by legal disputes involving personal status cases. (Figure 44) There are several possibilities why, with a strong gender aspect. The economic value of assets falling under personal status jurisdiction – alimony, inheritance, child support and dowries –

may constitute a considerable portion of the overall economic assets of poorer persons, particularly poor women undergoing divorce, and are therefore worth fighting for. For those with more financial resources and less need to rely on such assets, the obstacles associated with court proceedings may outweigh the financial rewards. In general, alimony and child support payments are relatively low, and in the case of alimony last only for up to three years. Wealthier persons may also have greater access to non-court procedures, such as negotiation through lawyers and mediation.

Figure 44. Frequency of personal status cases, by expenditure level

(Source: Statistical Survey on the Volume of Demand for Legal Aid, Department of Statistics)



Recent improvements to the legal framework can improve services benefitting women, even if not considerably expanding rights

Simplified and expedited court procedures for accessing alimony and child support can enhance effective control of important economic assets by poor women. Revisions made to the *Personal Status Code* in 2010 resulted in the enhancement of existing services and introduction of new services in the Sharia Courts that cover issues of particular importance to poor women, namely alimony, child support and inheritance. Enhanced services include simplified and expedited alimony and child support procedures, which allow for payments to be paid to women when divorce is initiated, rather than finalized, and upon request, rather than waiting for a court decision. These services have been introduced to address the fact divorce proceedings can take years, during which women may not receive any financial support. New services include direct alimony payments made through an alimony fund. The alimony fund is meant to address the fact enforcement of alimony decisions is extremely difficult by having payments made directly from the court to women beneficiaries, with the court responsible for reimbursement from the debtor husband. It also allows for electronic payments to the bank accounts of beneficiaries, replacing the old system where women needed to personally pick up payments from the court on a monthly basis. However, the improvements in services contrasts with the situation under the legal framework governing personal status issues for Christians, where the lack of clear legislation governing court procedures and costs undermines access to justice.

Recent reforms to the inheritance process have the potential to better protect the interests of women. Measures have been introduced to address the social pressure women face to renounce inheritance rights, particularly rights to land, in favor of male relatives, which has a particularly negative impact on poor women as inheritance may be the primary means of transferring wealth. Once inheritance rights have been divided, a cooling-off period of twelve months comes into effect during which heirs cannot renounce rights. This is to protect women from pressure immediately during the period of

mourning and to provide time for them to better understand their rights. If after the cooling-off period an heir wishes to renounce their rights, a judge must first explain the consequences. If the inheritance involves land, it must first be registered in the name of the heir before it can be renounced. These measures should aid in ensuring women are better able to access inheritance rights.

Efforts have also been made to improve services related to domestic violence and other violence against women. Women victims of domestic violence can now seek protection orders against their assailants, thus providing them an increased level of protection once violence is reported. It also allows them to remain in the family home, instead of having to flee. If the Family Protection Department implements plans to situate branches of the Sharia and Criminal Courts within their premises, women will also be able to file criminal complaints and initiate divorce and child custody proceedings at the time violence is reported. To address the severe nature of honor crimes, a special judicial chamber has been established within the highest Criminal Court to deal exclusively with these cases.

Policy Implications and Conclusions

Recent improvements to the legislative framework, especially in relation to personal status issues, have somewhat expanded women's rights, and if implemented properly could improve delivery of services and enhance women's agency. Jordan has somewhat defied the global trend of inaction in improving agency over family issues. Recent reforms to the *Personal Status Code* provide some limited expansion of women's rights, and should improve delivery of services benefitting women, such as alimony, child support and inheritance. Proper resources need to be dedicated to implementation of these reforms. Women's agency can be enhanced by reforms covering simplified access to alimony and child support payments; enhanced protections against domestic violence; the introduction of protections against sexual harassment in the workplace; extension of pension rights and benefits; implementation of maternity leave and childcare benefits in the private sector; and extension of labor protections to domestic and agricultural workers. These reforms need now to be supported by effective service delivery mechanisms to ensure women actually benefit from reforms.

Women continue to face obstacles in exercising agency in some areas of economic, social and political life due to legal restrictions and social norms. A number of legal provisions continue to discriminate against women. These negatively impact women's ability to control economic assets, their family and personal lives, and the ability to participate in social and political life. Further legislative reforms are necessary to establish a basis for greater equality by expanding the boundaries on women's agency. Areas of particular importance include: equalizing retirement ages for men and women; providing family allowances and other salary and pension benefits to men and women on equal grounds; lifting restrictions on women working in certain sectors and during night-time hours; removing requirements for women to be legally represented by male guardians; equalizing rights to divorce and guardianship over children; ensuring women and men can pass nationality to spouses and children on the same grounds; and removing mitigating factors for crimes involving 'honor'. In many instances, for example access to inheritance and land ownership, social norms work to restrict the boundaries of women's agency beyond laws and regulations. Procedures should be introduced to ensure women can enforce their rights effectively, especially when doing so contradicts social norms. Restrictive social norms will take time to address comprehensively, in the meantime raising public awareness of rights and the mechanisms to enforce them may help to improve women's agency.

A number of economic assets and family roles are automatically available to men based on laws and regulations reflecting traditional views of gender roles, while complicated and time-consuming procedures are necessary for women to gain access. Male employees in the public and private sector receive financial benefits to support their families, while women need to prove they support their families in order to receive the same benefits. Guardianship of children is automatically provided to men, while a woman seeking to take the role of guardian would need to demonstrate, through court proceedings, that

the male guardian is unfit based on a narrow set of grounds. Family roles, as reflected in legislation and social norms, take time to evolve, but more could be done to equalize these rights between men and women.

Control of Economic Assets

Increasing women's participation in the labor force can lead to greater access to economic assets and a greater role in family decision-making, which in turn should increase women's agency. Increasing women's labor force participation will improve access to economic assets, such as salaries and benefits associated with employment. Control of their salaries can increase women's agency outside of the family, and support greater participation in decision-making within the family.

Facilitating more equal distribution of economic assets related to employment and marriage should also increase agency. Employment benefits associated with family maintenance should be made equally available to male and female employees by eliminating the assumption that men are solely responsible for the financial well-being of families. Given the low labor force participation of married women, measures need to be developed to ensure marital property is more equally divided upon dissolution of marriage, since marital property may be the only considerable economic asset available to married women. Much of this would need to be done through legislative and regulatory amendments. But practical measures, such as promoting more equal distribution of marital property in marriage contracts, would directly benefit women.

Steps can be taken to address disparities in control of other key economic assets, such as land, inheritance and alimony. Joint ownership of land for spouses is legal in Jordan, but remains the exception. Government authorities could initiate campaigns and measures to promote joint ownership, as well to encourage the purchase of land by women. Implementation of new measures adopted to protect women's inheritance, both in terms of movable and immovable property, need to be implemented through the development of effective services and raising the awareness of women about these new procedures. Measures could also be adopted to strengthen married women's control over their dowries. If implemented properly, simplified and expedited services for accessing alimony and child support should also help improve women's agency, especially for women more dependent on these benefits.

Family and Personal Life

Equalizing grounds for entering and leaving marriage, and for exerting guardianship over children, can improve women's agency. Men continue to enjoy easier access to initiating divorce. A new mechanism recently introduced that provides for women to access to divorce against the will of their husbands will practically only be available to wealthier women, since it requires renouncing all rights to alimony and dowries. Guardianship could be granted based on the best interests of children, as opposed to the assumption that males are best placed to make major decisions for children. Marriage of women below the age of eighteen should be strictly limited, as underage marriage can negatively impact education and employment and thus undermine agency.

Requirements for women to have a legal guardian and restrictions on women passing nationality to husbands and children, and restrictions on accessing personal documents and passing nationality, should be removed. The requirement that women need to have a legal male guardian places considerable administrative and practical burdens on women in the exercise of their family and personal lives, making simple activities more complicated than necessary and hindering women's roles outside of the family. Requiring consent of a male guardian in order for a woman to receive a passport can negatively impact a woman's ability to move freely. Grounds for passing nationality to spouses and children need to be equalized between men and women, as the current regime places considerable burdens on women married to non-Jordanians.

There is a need to close gaps in legislation covering domestic violence and ensure implementation of existing services geared towards protection of victims. Adopting the *Law on Domestic Violence* and establishment of the system of Family Protection Departments was a major step forward in terms of addressing domestic violence. Access to special departments dealing with violence and providing counseling and medical assistance, and the ability to obtain protection orders, should provide considerable support to female victims. However, the restricted definition of perpetrators leaves women exposed to violence from a wider category of male relatives and acquaintances. And emphasis on reconciliation over protection could also prove problematic.

Voice and Political Participation

Continuing increases in women's participation in elected and appointed bodies can enhance agency, as would increased participation in professional associations. Despite continued, slow progress, women remain considerably under-represented in the House of Representatives and the Senate. Quotas have increased participation in the House of Representatives, and even more so in municipal councils. Representation in the executive and judicial branches also remains low, and women remain clustered in lower-level positions. Women's participation in professional associations, especially those representing professions not traditionally viewed as female-oriented, also needs to be increased to support enhanced agency.

Access to Justice

Services related to access to justice are poorly targeted to women, especially the poor, partly due to the lack of data and evidenced-based reforms. The DoS Justice Sector Survey was an important step in determining demand for justice sector services, and this data can inform gender-specific reforms to improve access to justice for women. Other entities with data related to the justice sector, including the Ministry of Justice, Ombudsman Bureau, Ministry of Public Sector Development, Ministry of Interior and the Anti-Corruption Commission, should compile gender-disaggregated data that can be used to inform policy on service delivery improvement.

Services supporting access to justice need to be better aligned with women's needs. Existing data shows women and men have varying needs in the justice sector, and use courts and lawyers differently. Women demonstrate considerably more need for services related to personal status issues, and face more difficulty accessing courts and using lawyers because of the lack of financial resources. Social norms are more likely to prevent women versus men from accessing courts, and women are more likely to make use of services offered by CSOs. Practical exclusion from court and lawyer services means women are less able to challenge the legal and social constraints on their exercise of agency.

Poor women are most disadvantaged in accessing justice, and services need to address this inequality. Poor women also demonstrate more demand for services related to personal status issues, particularly in relation to alimony, child custody and inheritance. Improving services would better ensure poor women can access these important economic assets. But state-sponsored legal aid services are limited to serious criminal cases, and procedures related to deferment of court costs are overly-complicated and time-consuming, and as such remain mostly under-utilized. Poorer women are also more likely to be victims of domestic violence and involved in criminal disputes related to public decency.

ANNEX 1

A.1 Probability to join the Labor Force

VARIABLES	(1) Female	(2) Male
Secondary	0.0685*** (0.0184)	0.0285*** (0.00920)
Post-Secondary	0.326*** (0.0215)	0.0362*** (0.0113)
University	0.572*** (0.0190)	0.0793*** (0.00705)
Age	0.0312*** (0.00371)	0.0158*** (0.00241)
Age squared	-0.000395*** (4.89e-05)	-0.000295*** (2.92e-05)
Married	-0.243*** (0.0229)	0.127*** (0.0218)
Divorced	-0.0164 (0.0331)	-0.146* (0.0759)
Widow	-0.134*** (0.0156)	0.0330 (0.0559)
Any children 0-5 years	-0.0155 (0.0157)	0.0150 (0.0119)
Any children 6-18 years	-0.0209 (0.0152)	-0.0191 (0.0122)
Any children over 19 years	-0.0337* (0.0180)	-0.0501*** (0.0162)
Urban	-0.0358*** (0.0133)	0.0258*** (0.00980)
Balqa	0.176*** (0.0288)	-0.00317 (0.0166)
Zarqa	0.0280 (0.0204)	0.00506 (0.0130)
Madaba	0.0541* (0.0328)	-0.0209 (0.0227)
Irbid	0.0541*** (0.0195)	-0.0402*** (0.0140)

Mafrq	0.0917*** (0.0298)	-0.0122 (0.0179)
Jarash	0.0227 (0.0273)	-0.0185 (0.0189)
Ajloun	0.00886 (0.0312)	-0.0397 (0.0259)
Karak	0.245*** (0.0319)	0.0435*** (0.0132)
Tafleh	0.274*** (0.0477)	0.0217 (0.0220)
Ma'an	0.110*** (0.0388)	0.0245 (0.0184)
Aqaba	0.0744* (0.0450)	-0.0672** (0.0324)
Observations	6,061	6,048
Pseudo R2	0.277	0.217

Standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

A.2 Marginal Effects: probability to be unemployed

VARIABLES	(1) Female	(2) Male
Secondary	0.101** (0.0488)	-0.0133 (0.00989)
Post-Secondary	0.110*** (0.0391)	-0.0323** (0.0127)
University	0.0765*** (0.0292)	0.00272 (0.0129)
Age	-0.0258** (0.0107)	-0.0128*** (0.00254)
Age squared	0.000114 (0.000156)	0.000143*** (3.41e-05)
Married	0.0492 (0.0343)	-0.104*** (0.0199)
Divorced	0.0109 (0.0688)	-0.00529 (0.0554)
Widow	0.147 (0.122)	
Any children 0-5 years	-0.0944*** (0.0283)	0.0144 (0.0154)
Any children 6-18 years	0.0496 (0.0358)	0.0562*** (0.0172)
Any children over 19 years	-0.0554 (0.0440)	0.00484 (0.0216)
Urban	-0.0507** (0.0239)	0.00592 (0.00865)
Balqa	0.00176 (0.0444)	0.0356* (0.0195)
Zarqa	0.0700 (0.0481)	0.0112 (0.0143)
Madaba	0.165** (0.0700)	0.0637** (0.0289)
Irbid	0.183*** (0.0448)	0.0473*** (0.0151)
Mafrq	0.121** (0.0584)	0.0561** (0.0227)

Jarash	0.206*** (0.0722)	0.0359* (0.0211)
Ajloun	0.137* (0.0773)	0.0115 (0.0254)
Karak	0.303*** (0.0566)	0.0733*** (0.0250)
Tafileh	0.223*** (0.0745)	0.0937** (0.0365)
Ma'an	0.269*** (0.0840)	0.0697** (0.0283)
Aqaba	0.0216 (0.0788)	0.0467 (0.0320)
Observations	1,451	5,319
Pseudo R2	0.229	0.0896

Standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

A.3 Economic Activities by gender (for population aged 15-64 years)

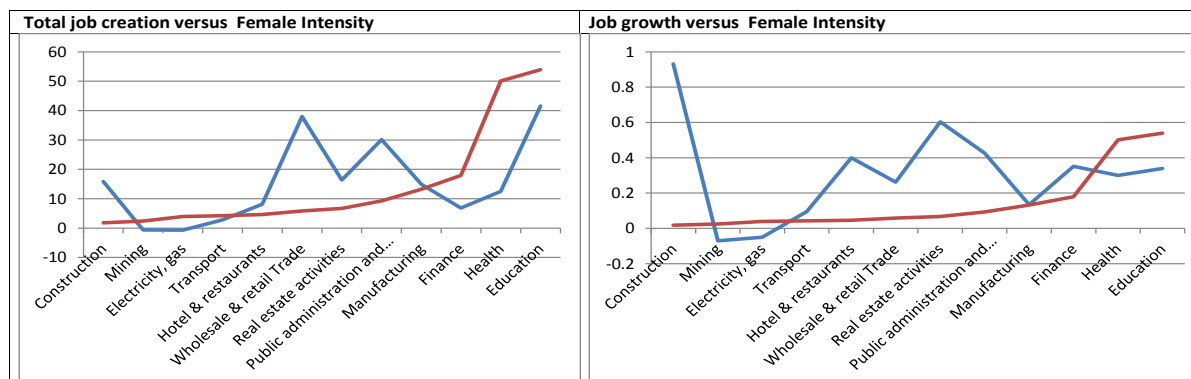
Economic Activity	Female	Male	Share total employment	Share Female (%)
Agriculture, forestry and fishing	4.6	3.0	3.8	24.3
Mining and quarrying	0.1	1.0	0.5	2.4
Manufacturing	9.8	13.2	11.5	13.3
Electricity,gas,steam and air conditioning	0.2	0.9	0.5	4.0
Water supply;sewage,waste management	0.1	0.3	0.2	5.7
Construction	0.7	7.5	4.1	1.8
Wholesale trade	0.4	6.0	3.2	1.2
Transportation and storage	1.9	8.9	5.4	4.1
Accommodation and food service activities	0.7	3.0	1.9	4.7
Information and communication	1.7	1.4	1.5	20.5
Financial and insurance activities	1.8	1.7	1.8	17.9
Real estate activities	0.2	0.4	0.3	6.9
Professional, scientific and technical activities	2.7	1.7	2.2	24.6
Administrative and support service	1.4	3.2	2.3	8.1
Public administration and defense	11.9	24.2	18.0	9.2
Education	38.6	6.7	22.7	54.3
Human health activities	11.9	2.4	7.1	51.2
Arts, entertainment and recreation	0.3	0.4	0.3	12.5
Other service activities	4.2	2.6	3.4	25.5
Activities of extraterritorial organizations	2.0	0.5	1.3	44.8
Retail Trade	4.8	11.1	8.0	8.2
Social Work activities	0.3	0.0	0.1	100.0
All sectors	100.0	100.0	100.0	17.1

A 4. Economic Activities by gender (for population aged 15-64 years)

Economic Activity	Female		Male		Share Female (%)
	Uneducated or less educated	Educated	Uneducated or less educated	Educated	
Agriculture, forestry and fishing	9.3	0.2	2.8	1.1	24.3
Mining and quarrying	0.0	0.2	1.0	1.0	2.4
Manufacturing	24.8	3.8	15.3	8.7	13.3
Electricity,gas,steam and air conditining	0.0	0.3	0.6	1.4	4.0
Water supply;sewage,waste management	0.0	0.1	0.3	0.3	5.7
Construction	0.3	0.9	8.1	4.3	1.8
Wholesale trade	0.5	0.4	6.3	4.8	1.2
Transportation and storage	1.1	2.4	8.8	4.8	4.1
Accomodation and food service activities	1.5	0.4	3.2	2.5	4.7
Information and communication	1.3	2.1	0.3	3.7	20.5
Financial and insurance activities	0.2	2.5	0.4	5.1	17.9
Real estate activities	0.6	0.0	0.5	0.6	6.9
Professional, scientific and technical activities	0.0	4.1	0.5	4.7	24.6
Administrative and support service	2.9	0.9	3.3	2.2	8.1
Public administration and defense	15.1	10.0	29.1	20.3	9.2
Education	13.9	51.9	2.3	16.7	54.3
Human health activities	11.8	12.0	1.0	6.2	51.2
Arts, entertainment and recreation	0.8	0.1	0.4	0.5	12.5
Other service activities	8.6	2.6	2.6	2.3	25.5
Activities of extraterritorial organizations	1.1	1.1	0.6	0.3	44.8
Retail Trade	5.7	3.8	12.7	8.6	8.2
Social Work activities	0.5	0.2	0.0	0.0	100.0
All sectors	100.0	100.0	100.0	100.0	17.1

Note: Uneducated refers to individuals with education levels lower than secondary level; Educated refers to those with post-secondary and higher levels of education

Figure A1 and A2



Courses of study by gender of those with more post-secondary and higher education

	Age 15 - 29			Age 30-64		
	Male	Female	Proportion female	Male	Female	Proportion female
Academic and Vocational Secondary	0.0%	0.0%	0.0%	0.3%	0.1%	18.2%
Teacher training and education science	6.2%	24.1%	84.6%	6.3%	22.2%	77.0%
Arts	3.9%	3.8%	58.1%	2.0%	3.8%	64.8%
Humanities	12.3%	16.6%	65.5%	10.7%	22.5%	66.7%
Social and behavioural science	3.1%	3.1%	58.3%	4.8%	5.6%	52.8%
Journalism and information	0.1%	1.3%	94.7%	0.8%	2.0%	69.8%
Business and administration	24.9%	16.1%	47.5%	25.6%	14.0%	34.3%
Law	3.5%	1.3%	33.3%	5.0%	1.4%	20.6%
Life Science	0.5%	3.1%	89.3%	0.9%	3.1%	77.1%
Physical Science	2.2%	4.3%	72.9%	2.6%	2.1%	43.5%
Mathematics and Statistics	0.9%	1.7%	73.0%	2.4%	4.6%	64.5%
Computing	13.0%	6.8%	42.3%	4.5%	4.9%	50.5%
Engineering and engineering trades	13.9%	2.7%	21.6%	14.2%	1.7%	10.4%
Manufacturing and processing	0.1%	1.5%	94.5%	0.4%	0.7%	64.3%
Architecture and building	3.0%	1.9%	46.2%	5.5%	0.5%	8.2%
Agriculture, forestry and fishery	1.2%	0.4%	33.1%	2.6%	0.8%	21.6%
Veterinary	0.4%	0.0%	0.0%	0.3%	0.2%	42.6%
Health	8.2%	7.8%	57.4%	8.1%	7.8%	47.6%
Social services	0.0%	1.0%	100.0%	0.0%	1.1%	100.0%
Personal services	2.0%	2.3%	61.3%	1.4%	0.6%	29.7%
Transport services	0.4%	0.0%	0.0%	0.3%	0.0%	0.0%
Environmental protection	0.2%	0.1%	40.7%	0.8%	0.3%	22.6%
Security services	0.0%	0.0%	0.0%	0.5%	0.0%	0.0%
	100%	100%		100%	100%	

Source: JLMPS 2010

ANNEX 2 – INSTITUTIONAL FRAMEWORK

The Institutional Framework for the gender issues in Jordan consists of the following main entities:

- 1- Jordan National Commission for Women Affairs (JNCW).
- 2- The gender Unit at the Ministry of Planning and International Cooperation.
- 3- The Gender Units at 17 line ministries and government entities.

1- Jordan National Commission for Women Affairs (JNCW)

1.1 Overview

The Jordanian National Commission for Women Affairs(JNCW) was established on March 12, 1992 by a decision from the Cabinet of Ministers and with initiative from HRH Princess Basma Bint Talal. JNCW was designed to be the first national mechanism at the Arab level and a specialized semi-governmental agency that strives to improve the status of women, enhance their economic, social and political participation, safeguard their gains, and defend their rights in order to achieve a higher level of social justice and gender equity and to seek to overcome the obstacles facing women's progress.

Based on a decision issued by the Cabinet on September 21, 1996, JNCW became the point of reference on women activities and status for all official agencies. All parties were required to consult with it before taking any decision or measure in this respect. JNCW submits its recommendations and reports to the Prime Minister to take the appropriate measures regarding them.

JNCW comprises 22 members representing ministries, national institutions, civil society organizations, women agencies, and the private and academic sectors. JNCW operates in cooperation and partnership with various government and non-government agencies through its General Secretariat, which undertakes the management of daily operations and the implementation of JNCW's plans and programs, and all necessary activities to achieve its objectives.

1.2 Main Functions

- a. The formulation of public policies related to women in all areas, and the identification of the priorities, plans and programs in governmental and non-governmental sectors.
- b. Preparing, developing, and monitoring the implementation of national strategies related to women and studying and reviewing legislation in effect and any other women-related draft laws and regulations, in cooperation with relevant parties.
- c. Following up on the implementation of laws and regulations in order to ensure their fair application and monitoring the implementation of relevant national policies and programs.
- d. Working on strengthening communication and the exchange of expertise at the national, Arab, and international levels.
- e. Preparing studies and reports, representing the Kingdom in specialized national, Arab, and international conventions and conferences related to women.
- f. Serving as a member in committees and official and consultative agencies formed by the government to speak on behalf of women.
- g. Enhancing and protecting the right of every woman to dignity, human rights, qualitative justice, equality and equal opportunities. This is in order to ensure women's effective and fair participation in developmental efforts, and their contribution to democracy and the achievement of reforms, as well as increasing women's participation in the economy and in the various representative parliamentary and municipal councils.

1.3 Structure

Except for the Women Complaints Unit which receives complaints from women on issues related to family and work, JNCW doesn't have a clear and specific organizational structure. It consists of a team that ranged between 12 to 15 women employees over the past few years and who conduct work according to requirements and based on the different initiatives that the commission works on at anytime. The team includes the General Secretary of the Commission and a Legal Advisor.

In addition to the permanent employees, the commission performs its work through a number of different committees and networks that are formed to conduct specific initiatives. The current working networks are:

- a. Network of Government Institutions
Which is responsible for coordinating the efforts aimed at the implementation of the strategic pillars of the national women
- b. Network Against Violence Against Women "candle"
Which was established in March 2008 under the patronage of Her Royal Highness Princess Basma Bint Talal, the President of the Jordanian National Commission for Women. The announcement of the launch of the network came as a continuation of the 16 days campaign against violence against Women. Candle is responsible to coordinate and unify the efforts of all national public and private institutions, civil society organizations, and individuals working to end violence against women; to integrate programs and services to improve their quality and maximize their efficacy; to ensure communication and to activate participatory planning among organizations that respond to violence against women; and to facilitate the expansion of programs and services in order to reach to all regions of the Kingdom.
- c. The women knowledge network "nashmiyat"
"Nashmiyat" is a knowledge network for members of municipal councils in Jordan, and seeks to enable better performance in local government.
- d. Media Action Team
Which operates under the supervision of a coordinated public information and is designed to communicate with the local community and the terms of the focus of media and communication within the National Strategy for Jordanian women through communication with the press and media institutions to form a team cooperating with the Committee which was formed from within the press and media institutions official.
- e. Legal Team
Which follows up on and study all national legislation and international conventions and treaties, and works also on amending the texts of laws that discriminate against women and bring them into line with international conventions and treaties ratified, through the development of proposals to amend the text or calling for its abolition, and to raise such proposals to the Council.

2- The Gender Unit- Ministry of Planning and International Cooperation

2.1 Overview

The Genders Unit at The Ministry of Planning and International Cooperation (MOPIC) was established in 2005 under the Policies and Strategies Department with the following objectives:

- a. Institutionalizing the gender perspective in the development projects and programs in Jordan.
- b. Developing the institutional capacity of the ministry in this area.

- c. Strengthening the integration and coordination between the entities concerned with developing the gender policies in Jordan and the relevant entities and programs at MoPIC.
- d. Institutionalizing the interests of the donors in gender integration and maximizing the benefits from the available resources in this area, in coordination with the relevant entities.

The unit currently has 2 full time employees, and its budget is usually supported by different donors such as USAID's "Local Currency Program", the Danish Center for Information on Gender, Equality, and Ethnicity (KVINFO), as well as The World Bank which is paid directly to MoPIC and provided to the unit in the form of grants.

The unit works with other government entities through "Liaison Officers" who are assigned by most of the line ministries and government entities. Those Liaison Officers are either employees at the gender units in the government entities that established such units or are assigned as individuals (not positions) in the entities that doesn't have such units.

The role of the Liaison Officers is to act as a link between their entities and MoPIC in the issues related to gender. Within this capacity, they're responsible for participating with the ministry in preparing the studies and strategies related to gender and attending the meetings held for such purposes. They're also responsible for providing the unit with information that it requests such as the number of women in their entities and any researches or work done under this area. Despite that, there isn't an institutional mechanism that governs the relation between the unit and those officers.

2.2 Functions of the Unit

- a. Participate in setting the objectives and development policies related to gender mainstreaming.
- b. Preparing annual plans to achieve the unit's objectives and supervise their implementation.
- c. Prepare studies on gender-related topics and proposing policies that contribute to the gender mainstreaming.
- d. Coordinating with the relevant entities inside MoPIC and strengthening the institutionalization of gender dimension in their work.
- e. Prepare studies and research on the issues related to women, in order to help in developing policies and strategies that reinforce the role of women in society.
- f. Issuing periodical newsletters and reports and arrange for necessary meetings.

2.3 Achievements of the Unit

- a. Conducting a gender analysis of all the pillars of the National Agenda.
- b. Integrating the gender perspective in the Executive Plan for the National Agenda for the years 2007-2009.
- c. Conducting a Forum on gender in January 2007 under a royal patronage, to develop an approach that helps in activating the role of Jordanian women in economy based on the national objectives and priorities.
- d. Securing sources of finance to support national gender programs through donors, including a 4.6 million Canadian Dollar grant to establish a gender fund that supports the implementation of best practices related to gender in government institutions.
- e. Fostering a partnership with the Jordan National Commission for Women Affairs, Danish Center for Information on Gender, Equality, and Ethnicity (KVINFO), Ministry of Labor and Nuqul Group under the umbrella of the project of gender integration in public life that was implemented during the period from 2007 to 2010, which was financed by the Danish Ministry of Foreign Affairs.
- f. Obtaining a grant from the World Bank to finance a project for measuring the impact of policies and strategies on gender equality.
- g. Conducting training courses and awareness sessions to the employees of MoPIC to build their capacity in gender development, in coordination with the UNIFEM.

3- Gender Units

Other than the Ministry of Planning and International Cooperation, 17 other government entities have a form of an organizational unit that is concerned with gender issues. Such units might be in the form of a directorate, a division, a committee or a permanent team.

Those entities are:

- 1- Ministry of Education
- 2- Ministry of Health
- 3- Ministry of Justice
- 4- Ministry of Endowments and Islamic Affairs
- 5- Ministry of Political Development
- 6- Ministry of Labor
- 7- Ministry of Agriculture
- 8- Ministry of Social Development
- 9- Ministry of Development
- 10- Agricultural Credit Corporation
- 11- Vocational Training Corporation
- 12- Government Tenders Directorate
- 13- Department of Statistics
- 14- Civil Service Bureau
- 15- Armed Forces
- 16- Jordanian Gendarmerie
- 17- National Center for Agricultural Research and Extension

The gender units in these entities act as the liaison units of the gender work in their entities with the JNCW, and in most of the cases the liaison officers with the gender unit at MoPIC are nominated from these units.

The functions of these units are different according to the focus of the entity or line ministry; however they are in general responsible for ensuring the integration of women and their issues in the strategies, policies and plans of their organizations. In addition, they provide information needed to the JNCW and MoPIC about their activities as well as gender-related statistics used for reporting on the status of women in Jordan. They also participate in a periodical meetings held by JNCW, and 15 of them are members of the Network of Government Institutions at JNCW.

ANNEX 3 – DONOR-FUNDED PROGRAMS

USAID

The Jordan Economic Development Program (SABEQ) is a gender related program aimed at enhancing Jordan's competitiveness in global markets, and increasing the jobs available for Jordanians and women in particular in the economy. The expected outcomes are a number of Jordanian competitors competing in the global market, and jobs being available to women, and a small amount of money is taken from the overall budget to cover gender related issues. *Program timeline: 2006-2011. Total budget: nearly \$69 million USD.*

Health Systems Strengthening 2 (HSS 2) is a gender related program aimed at improving the quality of care, family planning, and reproductive health services provided for women, promoting healthy behaviors, and developing human resources. *Program timeline: 2009-2014. Total budget: nearly \$58.5 million USD.*

Youth: Work Jordan is a gender related program aimed at improving social services, protecting vulnerable youth especially women and building support that bridge disadvantaged youth employability and civic engagement. *Program timeline: 2009-2014. Total budget: nearly \$30 million USD.*

Jordan Health Communication Partnership (JHCP) is a gender related program aimed at giving technical assistance to develop and implement behavior change and communication interventions using the life stages approaches with a small amount of money taken from the overall budget to provide health services for women in Jordan. *Program timeline: 2004-2013. Total budget: nearly \$28 million USD.*

Jordan Tourism Development Program/ JTD2 is a gender related program funded aimed at increasing Jordan's competitiveness as a tourism destination and managing Jordan's tourism resources, and building women's resources and capacity to increase their participation in the tourism sector. *Program timeline: 2008-2013. Total budget: nearly \$28 million USD.*

Strengthening Health Outcomes through the Private Sector is a women empowerment program aimed at strengthening the role of the private sector in promoting family planning and the reproduction health of women by engaging pharmaceutical industry partners to provide family planning service. *Program timeline: 2010-2015. Total budget: nearly \$24.5 million USD.*

Germany

Management of Water Resources is a gender related program aimed at supporting institutional reform and capacity development. The program has sub aim of addressing women and building their capacities to reduce water consumption and protect the environment through a specific program entitled Water Wise Women (WWW). *Program timeline: 2006-2014. Total budget: nearly \$28 million USD.*

Economic Integration of Women is a women's empowerment program aimed at improvement of the capacities and services of selected actors pertaining to the economic integration of women. This is a regional program that covers the MENA region (Egypt, Jordan, Morocco and Tunisia). *Program timeline: 2010-2013. Total budget: nearly \$5.7 million USD for all four countries.*

Canada

Support for Jordan education reform is a gender related program funded by Government of Canada and implemented by Ministry of Education in Jordan. One of the main aims of the program is encouraging the educational system in Jordan to address women equity and rights. *Program timeline: 2003-2011. Total budget: nearly \$18.9 million USD.*

Gender and Social Fund (GSF) is a gender-based program funded by Canada and implemented by local organizations in Jordan. The program aimed at increasing the empowerment of women in Jordan society. The program is providing grants to local organizations providing services to women in Jordan. The program focuses on services that increase women's participation in public life and empowerment such as, vocational training and capacity building. *Program timeline: 2007-2012. Total budget: nearly \$4.8 million USD.*

Building and Extending the Training System is a gender related program funded by Canada and implemented by the Ministry of labor in Jordan. One of the program aims is assisting the government of Jordan in its efforts to reform the (TVET) system. *Program timeline: 2008-2012. Total budget: nearly \$5 million USD.*

France

Refinancing of Micro Financing in Jordan is a gender related program implemented by Société Générale De Banque - Jordanie (SGBJ). The program aims at refinancing micro financing institutions and widening their operations to micro fund vulnerable groups, mainly women. *Program timeline: 2008-2011. Total budget: nearly \$14 million USD.*

Italy

Establishment of a Service and Training Center for the Textile Sector and Fashion Industry is a gender related program implemented by Jordan Enterprise Development Corporation (JEDCO). The program aimed to consolidate and develop the quality and production capacity of local small to medium enterprises (especially those owned by women) to provide them with more opportunities to expand in the national and international markets. *Program timeline: 2008-2011. Total budget: nearly \$4.9 million USD.*

Vocational Training Center in Salt 3 is a gender related program implemented by the International Labor Organization (ILO). It aimed at developing the Al-Salt Handicraft Training Centre to become a focal point for handicraft training through strengthening its design, production and marketing capabilities. *Program timeline: 2007-2011. Total budget: nearly \$2.5 million USD.*

Initiative and Support of Palestinian Refugees in Jordan (3) is a gender related program implemented by the Department of Palestinian Affairs (DPA). The program aimed at alleviating poverty, improving the living conditions of Palestinian refugees, especially women, rehabilitating their houses, and generating income of poor and vulnerable women through vocational training. *Program timeline: 2010-2011. Total budget: nearly \$1.6 million USD.*

Initiative and Support of Palestinian Refugees in Jordan (2) is a gender related program implemented by the Department of Palestinian Affairs (DPA). The program aimed at alleviating poverty, improving the living conditions of Palestinian refugees, specially women, rehabilitating their houses, and generating

income of poor and vulnerable women through vocational training. *Program timeline: 2010-2011. Total budget: nearly \$1.3 million USD.*

Madaba School/Institute for the Art and Restoration of Mosaics is a women's empowerment program implemented by the Department of Antiquities. The program aims to qualify the school for the Art of Mosaics in Madaba as a University Institute for Restoration and Mosaics, Train teachers (mostly women) in Italian schools, and to establish of acknowledged university curricula. *Program timeline: 2008-ongoing.... Total budget: nearly \$1.1 million USD.*

Integrated Health Services for the Community of Iraqi Refugees in Jordan is a gender related program implemented by Un Ponte per (UPP). The program aimed to intervene in the supply of health care for communities of Iraqi refugees, facilitating access to basic health services with a focus on women, by offering free health services, promoting women's rights and support in the social integration process. *Program timeline: 2010-2011. Total budget: nearly \$800,000 USD.*