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**“There Is No Honor in Taking a Life”:
Violence against Women in the Name of Honor**

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Table of Contents

Abstract	3
Introduction	5
Chapter 1: Women’s Human Rights in Jordan	10
Chapter 2: Setting the Stage: The Family Unit, Domestic Violence, and the Home Space	17
Chapter 3: Honor Killings in Jordan	26
Chapter 4: Honor Killings as Femicide and Judiciary Application and Interpretation of Articles 340, 98, and 99	31
Chapter 5: Conclusion	53
Bibliography	58

Abstract

In the quiet corners of Jordanian homes, a silent epidemic unfolds as the specter of honor crimes casts a dark shadow over the lives of women and girls. Where familial ties are assumed to provide a safe haven, the insidious practice of honor killings has carved a devastating path of life for women. Honor killings disproportionately affect women and transform the sanctity of the "family home" into an unexpected theater of peril. At the heart of this tragic narrative are *Articles 98, 99, and 340* of the Jordanian Penal Code that apply to all Jordanian women. I argue that while these legal provisions ostensibly may have been designed to provide justice for females targeted by honor killings by criminalizing this specific type of murder, these Articles paradoxically contribute to the perpetuation of femicide within the nation by, for example, providing legal justifications for reduced penalties or no penalty at all for this specific type of murder of females. The effect is a legal system that permits a culture of impunity for those who commit these heinous acts. Despite apparent advances in Jordan's investment in women's rights, the legal provisions in *Articles 98, 99, and 340* of its Penal Code paradoxically undermine the criminality of honor killings against women and girls, thereby severely undermining the human security of Jordanian women. I examine specific judicial rulings on honor killings from a certain period as will be explained in *Chapter 4* to support my exposure of the disconcerting gap between Jordan's aspirations for gender equality and the harsh realities faced by women within its legal framework and how this gap contributes to rates of femicide within the nation.

Keywords: Honor Crimes, Honor Killings, Gender, Gender-Based Violence, Domestic Violence, Femicide, Patriarchy, Legal Reforms.

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For all women navigating through the darkness of violence; to survivors struggling to regain control of their lives. To all the women who choose to acknowledge the harsh reality of the femicidal era we're in and are ready to bravely take steps to put an end to it.

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Introduction

Ahlam, a divorcée in her late 30s, met a brutal end at the hands of her father in a public setting in Safut, western Amman. The chilling video, accompanied by the hashtag #Screams_of_Ahlam, captured the graphic nature of the crime. Ahlam had recently left a women's detention facility where she was sent after complaining about pre-existing domestic abuse as *Chapter 2* will discuss. Following the murder, her father callously sat beside her lifeless body, drinking tea and smoking cigarettes. This horrifying event underscores the deeply ingrained apathy towards violence against women in society.

Reports indicate a history of abuse, with police allegedly responding by having Ahlam's family sign pledges to stop the violence. The leniency of Jordan's justice system in cases of "honor killings" has been a contentious issue. Articles 340 and 98 of the Penal Code grant judges discretion to reduce sentences in cases involving adultery or crimes committed in a 'fit of fury.' Activists are urging the court to enforce a 2017 amendment to article 98, excluding its application to "honor killings" as the next chapter will discuss. The potential reduction of sentences, even in the face of heinous crimes, highlights systemic challenges in achieving justice for victims of GBV¹.

The hashtag "Ahlam's screams" trended on social media, reflecting widespread outrage and a collective call for justice. Hundreds rallied in front of the House of Representatives in Amman, highlighting the urgency of addressing the systemic issue of "honor killings." Activists, media personalities, and even members of the royal family joined the chorus, using the viral hashtag to amplify the conversation about the grim reality of violence against women in Jordan². It's important to highlight that neither her family name nor the court ruling has been publicly revealed.

¹ Hiba Balaha "until when? honor killings and other domestic violence against women in Jordan" POMED ORG, 2021.

² SceneArabia "Ahlam's Screams: Harrowing "Honour Killing" in Jordan Sparks Outrage and Demands for Justice" BAHIRA AMIN. 2020.

The incident underscores the need for comprehensive legal reforms to address the challenges of GBV in Jordan. While legal changes are crucial, societal attitudes must also evolve to challenge the acceptance and normalization of honor killings. Human Rights Watch reports that between 15 and 20 women are murdered in Jordan each year in such cases, highlighting the urgent need for systemic change³.

Ahlam's tragic death serves as a stark reminder of the deep-seated issues surrounding GBV and honor killings in Jordan. The international community, alongside activists and citizens within the country, must continue to push for legal reforms, challenge cultural norms, and demand justice for the victims. Ahlam's screams echo the urgent need for a society that values and protects the lives of its women, free from the grip of violence justified under the guise of honor.

Globally, five thousand women annually die in 'honor killings',⁴ it's a form of GBV rooted in patriarchal norms, where the murder of a woman is deemed justifiable to cleanse perceived dishonor brought upon the family or community.⁵ Presenting more than twenty such deaths a year, which is over one-fourth of reported homicides of all countries in total over the past few years, Jordan presents some of the highest per capita rates globally.⁶ Jordan has been transparent about its commitment to women's human rights through numerous legislative reforms domestically and its international commitments to advance women's rights. In the shade of Jordan's legal landscape, progress in women's rights has been heralded, yet the haunting persistence of honor killings against women casts a shadow over these advancements. . This thesis investigates in specific how *Articles 98, 99, and 340* of the Jordanian Penal Code allow flexibility in penalizing men and boys who have committed honor killings against women

³ Human Rights Watch, "How to End 'Honor' Killings in Jordan" Rothna Begum. 2017.

⁴ HONOUR-BASED VIOLENCE AWARENESS NETWORK <http://hbv-awareness.com/statistics-data/>

⁵ Lynn Welchman and Sara Hossain, 'Honour': Crimes, Paradigms and Violence Against Women, London: Zed Books, 2005.

⁶ Farah Maraqa, Jordan Activists Profile 'Honor' Killing Victims, WOMEN'S ENEWS 2014.

to the point of allowing honor crimes to be committed with legal impunity. This flexibility undermines the very essence of all reforms toward women's advancement because it fails to recognize honor crimes against women as human rights violations that entirely undermine women's very basic right to life as emphasized in *Article 3* of the UDHR⁷. Consequently, as this thesis argues, these Articles directly contribute to rates of femicide in Jordan and render the pursuit of justice an elusive ideal for Jordanian women of all backgrounds.

This thesis comprises five key chapters that collectively unravel the complex issue of women's rights and gender-based violence related to honor killings and femicide in Jordan. *Chapter 1* meticulously examines the legal landscape during the British Mandate and post-independence era by scrutinizing Jordanian laws restricting women's rights and navigating the delicate balance between progress and persistent challenges in advancing women's agency. It also delves into the national legal framework, ensuring a nuanced understanding of compliance with international agreements, particularly the Convention on the Elimination of All Forms of Discrimination Against Women.

Chapter 2 relates certain underlying social factors in patriarchy generally and Jordanian culture specifically leading to honor killings. This includes exploring the prioritization of family unity over individual autonomy and shedding light on the normalization of the violence comprising domestic violence within the home space. In *Chapter 3*, those findings narrative lead to an analysis of honor killings in Jordan as embedded in the cultural nuances of '*Ird*' (honor) and contextualized honor killings within the broader Middle Eastern landscape, the penal codes of which generally provide lenient, even impunity, to men and boys committing honor crimes.

⁷ United Nations General Assembly. The Universal Declaration of Human Rights (UDHR). New York: United Nations General Assembly, 1948.

The heart of the thesis lies in *Chapter 4*, where honor killings are investigated as femicide. This chapter delves into the Jordanian judiciary's problematic application and interpretation of *Articles 340, 98, and 99* of the Jordanian Penal Code in several case studies for each of these *Articles*. *Chapter 5* investigates honor killings as contributing to rates of femicide in Jordan and echoes a resounding call for comprehensive legal reforms to ensure the advancement of women's human rights in Jordan.

Methodology and Sources.

Navigating the intricate landscape of honor crimes in Jordan, a crime shrouded in sensitivity and obscured by the absence of official government data, presented formidable challenges. The scarcity of readily available information is acknowledged as a critical loophole inhibiting the reform of honor killings, a concern at the forefront of this thesis. Despite these challenges, this study delves into seventeen examined cases spanning from 2000 to 2014. These cases, sourced from an online non-governmental magazine, *7iber*, focuses on human rights, promoting an open society built on values of accountability, the rule of law, and pluralism. The significance of this collaboration extends beyond the presentation of raw data, as *7iber's* commitment to human rights mirrors the broader international movement advocating for a nuanced understanding of VAW. In collaboration with human rights advocates, serve as a valuable dataset for analysis. The intentional removal of names from court records, as detailed in *Chapter 4*, reflects the cautious approach taken in handling sensitive information.

The lack of data itself becomes a noteworthy aspect of this study, shedding light on the intricate challenge of capturing the true extent of honor crimes. This absence is not merely a gap but a form of data, signaling the covert nature of these crimes and the hurdles faced in bringing them to light. Importantly, this data assumes added significance in the context of the global discourse on violence against women and the emerging recognition of such crimes as

potential femicides. The international community's growing interest in categorizing homicides against women as femicides aligns with the aims of this study.

This thesis extensively utilized case records from the Jordanian criminal court, obtained through NGOs, UN reports, recent studies, and media sources. It is imperative to note that access to these records was limited, and only a few published cases could be secured. This restricted access is attributed to the sensitive nature of honor crimes, and the cases made available were facilitated through the efforts of an NGO specializing in human rights advocacy. This underscores the challenges in obtaining comprehensive and unrestricted data on honor crimes in Jordan, emphasizing the need for nuanced approaches in addressing these issues. I translated all Arabic content into the English language.

The difficulty in obtaining data on honor killings in Jordan is rooted in various factors, including cultural sensitivity, a lack of transparency, and perhaps a societal reluctance to address this deeply ingrained issue. This challenging landscape underscores the need for dedicated efforts to bring honor crimes to the forefront of discussions surrounding femicide and human rights violations, providing a critical foundation for advocacy and reform.

In this study, three tables are utilized, each corresponding to specific defense articles employed in honor crime cases. Table 1 examines cases invoking *Article 98* with 7 cases. Table 2 focuses on Death Penalty Cases under *Article 99*, encompassing five cases. Similarly, Table 3 delves into Manslaughter Cases under *Article 99*, featuring an additional set of five cases. A detailed analysis of these tables is conducted in *Chapter 4*, exploring the nuances of each defense article and its implications in the context of honor crimes.

Chapter 1: Women's Human Rights in Jordan

The historical trajectory of violence against women (VAW) and gender-based violence (GBV) in Jordan is intricately woven into its legal frameworks since gaining independence in 1949. This chapter delves into the legal evolution of VAW/GBV in post-colonial Jordan. It goes on to shed light on its influence by imperialism, particularly the British Mandate, and its potential compounding effect on issues related to GBV and examining the present Jordanian Penal Code.

Advancing Women's Agency in Jordan: Navigating Legal Progress and Persistent Challenges

In the past few decades, Jordan has embarked on a journey to enhance the rights and agency of women, with various initiatives and reforms. Despite commendable efforts, the issue of honor killings remains a significant challenge, casting a shadow over the progress made in other areas. This section provides a brief overview of the landscape of women's rights in Jordan that particularly influences legal permissibility in adjudicating honor killings and, in doing so, undermines women's human rights.

National Legal Framework and Human Rights

Jordan's commitment to gender equality is embedded in constitutional principles and national policies, fostering an inclusive environment across economic, educational, and public spheres aligns with the UDHR by emphasizing the principles of equality, dignity, and non-discrimination in *Article 1*⁸. The constitutional underpinnings of gender equality in Jordan are evident in *Article 6*, which explicitly emphasizes equality before the law without

⁸ United Nations General Assembly. Art.1 of The Universal Declaration of Human Rights (UDHR). New York: United Nations General Assembly, 1948.

discrimination. The constitutional emphasis on equal opportunities for all Jordanians extends into the economic sphere, fostering an environment conducive to gender-inclusive economic development. Jordan has also made significant strides in bridging the gender gap in education. Constitutional commitments are underscored by the *National Charter* of 1991, which affirms the equal rights and obligations of Jordanian men and women. The constitutional commitment to equal opportunities in education, coupled with specific policies like the National Strategic Plan for Protection against Family Violence (2005–2009), strives to create an inclusive educational environment.

The *Labor Code of 1996* plays a pivotal role in promoting gender equality in the workplace by addressing issues such as maternity leave and discrimination. Moreover, the *Regulation of Flexible Work System* (2017) showcases Jordan's commitment to adapting to modern work structures, potentially benefiting women seeking work-life balance and economic independence. It indirectly contributes to enhancing women's access to public space: by allowing for flexible work arrangements, it facilitates women's participation in various spheres, potentially reducing traditional barriers to public engagement.

The comprehensive legal framework, spanning from the *Crime Prevention Law* (1954) to the *Law on Protection from Domestic Violence* (2017), reflects a multifaceted approach to addressing gender-based issues. Jordan's commitment to women's rights extends beyond legislation to encompass a robust policy framework. Policies such as the *Comprehensive National Human Rights Plan* (2016–2025) outlines a strategic vision for human rights, emphasizing the protection and empowerment of women. *National Strategy for Women in Jordan* (2013–2017) focuses on advancing gender equality and women's participation across various sectors. In addition, the *National Framework for Family Protection* (2016) underscores a holistic approach to advancing women's agency.

Another example is the *National Strategy to Combat Violence Against Women* launched in 2013 by the government of Jordan. This strategy aimed to coordinate efforts across various sectors to prevent and respond to violence against women. Although not solely focused on legal reforms, it reflected a broader commitment to addressing GBV.

Jordan's legal and policy landscape reflects a genuine commitment to advancing women's rights and agency. Progressive laws addressing economic development, access to public space, and education have been enacted, showcasing the nation's dedication to gender equality. However, the deeply entrenched issue of honor killings poses a significant obstacle, highlighting the need for more comprehensive legal measures and societal shifts.

International Advances: CEDAW, 1992-

Jordan's ratification of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1992⁹ marked a pivotal moment in its commitment to addressing gender-based discrimination entrenched in cultural norms. Despite its reservations on specific articles related to the private sphere, CEDAW has played a transformative role in shaping Jordan's legal landscape and fostering a comprehensive approach to gender equality.

In 2009, Jordan lifted the reservation on *Article 15, Paragraph 4*¹⁰, a commendable move towards aligning its legal framework with CEDAW¹¹. However, other reservations persist, notably on *Article 9, Paragraph 2*¹² and *Article 16, Paragraph 1 (c, d, g)*¹³, reflecting

⁹ UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women*, 18 December 1979

¹⁰ UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women*. "Article (15) 4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile." 18 December 1979.

¹¹ UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women*, 18 December 1979

¹² UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women*. "article (9) 2. States Parties shall grant women equal rights with men with respect to the nationality of their children." 18 December 1979.

¹³ UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women*. "Article 16 1. States Parties shall take all appropriate measures to eliminate discrimination against women in all

continued gender-based discrimination. Jordan's reservation on *Article 9, Paragraph 2* denies Jordanian women the right to pass their nationality to their husbands and children, a stark contrast to men's rights. This discrimination prevents women from passing various rights such as to residency, education, healthcare, and work permits to their husbands or children. The inability of women to confer nationality perpetuates a social hierarchy, compromising their identity and subjecting families to economic instability, the fundamental problem is the coercion of women in Jordan to marry men who are Jordanian. The Legal analysts question the reservation's constitutionality, and activists anticipate challenging it pending the establishment of a Constitutional Court.

The Jordanian reservation on CEDAW Article 16 Paragraph 1 (c, d, g)¹⁴ concerning marriage, divorce, and custody note the exact underscores gender disparities in family law. Jordanian women face obstacles in divorce proceedings, where laws favor men. The '*Talaq*' law allows men easy divorce, while women must navigate complex legal processes, especially in cases of domestic violence. The '*Khulu*' law, introduced in 2001, ostensibly providing an option for women, is deemed feasible only for affluent women due to its high cost. A recent amendment allowing '*Khulu*' during the pre-marriage contract phase received mixed reactions from the women's movement.

The influence of CEDAW on legal reforms in Jordan is evident in the ongoing efforts to align domestic legislation with international standards. The convention served as a catalyst for changes in various legal domains, including family law, labor law, and criminal law. Reforms were introduced to eliminate discriminatory practices and ensure legal protections for

matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

(c) The same rights and responsibilities during marriage and at its dissolution;
(d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases, the interests of the children shall be paramount;
(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation." 18 December 1979.

¹⁴*Id.*

women in areas such as marriage, divorce, and inheritance. For example, Jordan has been working on legislation to address family violence. The *Family Violence Protection Law*, introduced in 2008, represented a significant step in recognizing and combating violence within the family. While not directly associated with honor crimes, it reflects an effort to address gender-based violence within the familial context¹⁵.

Despite reservations, the ratification of CEDAW underscored Jordan's commitment to addressing gender-based discrimination. This commitment was reinforced by the establishment of the Jordanian National Commission for Women in 1992, when Jordan ratified CEDAW. It is a semi-governmental organization that advocates and promotes women's diverse issues. Their mission is to support the mainstreaming of a gender equality perspective in all policy areas. and their purpose is to engender positive tangible transformation in the status of women to eliminate all forms of discrimination against them and to achieve their effective and equal participation with men in all political, economic, social, and cultural arenas. This commission played a pivotal role in translating the principles of CEDAW into actionable policies and strategies aimed at dismantling gender inequalities across various sectors in Jordan.

The Jordanian National Commission for Women led the development of the endorsed National Strategy for Women in Jordan (2020-2025). Serving as a comprehensive framework, the strategy guides the formulation of policies and initiatives aimed at promoting the rights and full participation of women and girls in society. Developed inclusively, it aligns with national priorities, emphasizing gender equality and women's empowerment in accordance with the 2030 Sustainable Development Goals, particularly SDG 5¹⁶.

Within the Strategy's Action Plan, various programs and projects have been organized into six key pillars. and among them, human rights, and the combatting of VAW and girls.¹⁷

¹⁵ Ministry of Social Development (2008), Jordanian Domestic Violence Protection Law No. 6 of 2008.

¹⁶ Transforming Our World: The 2030 Agenda for Sustainable Development. Resolution Adopted by the General Assembly 'SDG 5: Achieve gender equality and empower all women and girls', 25 September 2015.

¹⁷ The Jordanian National Commission for Women "Action Plan of the National Strategy for Women 2023 - 2025" 2023.

Problematics of Legal Landscape: British Mandate and Post-Independence

As noted, the Constitution of Jordan guarantees equal rights and protections to women. Despite these constitutional principles, Jordan's commitment to women's rights at the international level, and Jordanian women's activism, Jordanian women's realization of gender equality has faced challenges due to deeply ingrained cultural norms and societal expectations. Discrimination and disparities persist, especially in areas such as family law, inheritance, and personal status, due to Jordan's historical context, and this has impacted its current legislation on women's human rights.

The British Mandate in Jordan (1922-1946), emerged as a consequence of post-World War I geopolitical rearrangements, reflecting Western imperial interests in the Middle East. It left an indelible mark on Jordan's legal and societal structures, significantly undermining all women's rights, as European and Arabic men fought for control over what is now Jordan, managing women's autonomy through practices like male guardianship and restricting access to citizenship. One significant aspect is the practice of male guardianship, which require women to be subject to the authority of male relatives, especially when entering the public spaces of society, thereby limiting their autonomy in various aspects of life.

Male Guardianship is entrenched in Jordanian law influenced by a blend of European, Ottoman, and tribal legal traditions. Under this system, women often require the permission or supervision of a male relative—typically a father, husband, or brother—in matters such as marriage, travel, and certain legal transactions. This institutionalized control over women's decisions perpetuates gender inequality and affects their ability to exercise fundamental rights independently¹⁸.

¹⁸ MERNISSI, FATIMA, BEYOND THE VEIL: MALE-FEMALE DYNAMICS IN MODERN MUSLIM SOCIETY (1987).

Jordanian citizenship laws also contribute to gender-based discrimination. While a Jordanian man can confer citizenship to his spouse and children, the same right is not automatically extended to Jordanian women married to non-citizens. This discrepancy in citizenship rights affects various aspects of a woman's life, including access to social services and the ability to confer nationality to her children¹⁹ (see *Chapter 4*).

Understanding these legal restrictions provides essential context for comprehending the broader challenges faced by women in Jordan. This context is particularly pertinent when examining cases of honor killings, where societal and legal norms intersect, contributing to an environment that may perpetuate VAW.

¹⁹ *Id.*

Chapter 2: Setting the Stage: The Family Unit, Domestic Violence, and the Home Space

Despite the legislative and policy advancements in various spheres, the issue of honor killings persists as a formidable challenge in Jordan. The legal framework, including the *Law on Protection from Domestic Violence* (2017), exhibits limitations in comprehensively addressing violence in the private sphere. Disrupted mainly by cultural factors and societal norms that undermine progress made in other areas of women's rights.

In Jordan, domestic violence (DV) is commonly perceived as a family issue impacting numerous women, children, and adults throughout their lives. The Arab society holds conservative views on gender roles, shaping the social roles, conduct, and obligations of men and women within a strict social framework. A 2002 report by the United Nations Development Fund for Women (UNDP)²⁰ revealed that Jordanian women experiencing intimate partner violence often hesitate to report it due to fear of social stigma, and the cultural perception views violence against women as a private family matter²¹. This is one reason why limited information exists on violence against women in Arab societies, emphasizing the need for ongoing national and international efforts to eliminate domestic violence comprehensively.

Prioritization of Family Unity over Individual Autonomy

Within the familial unit, where intricate bonds are forged, the honor of women and girls becomes inherently entwined with that of men and boys. The interconnection between women's and girls' honor and masculinity reveals shared expectations imposed on women and girls to uphold family honor, emphasizing the universal association of women's and girls' honor with

²⁰ United Nations Development Fund for Women Amman, Jordan, *The Status of Jordanian Women Report*, WHO Report on Violence and Health (Geneva: World Health Organization, 2002).

²¹ N. Linos, M. Khawaja & M. Al-Nsour, 'Women's autonomy and support for wife beating: Findings from a population-based survey in Jordan', *Violence Victims* 25(3) (2010): 409-419.

the actions and behaviors of men. This pattern underscores the interconnected dynamics of femininity and masculinity within the broader context of honor across diverse societies.

Cultural norms and expectations surrounding female purity and chastity play a central role in tying women's and girls' honor to masculinity. Different cultures have distinct codes of conduct for women and girls, prescribing specific behaviors related to modesty, sexual conduct, and familial duties. These expectations often reinforce traditional gender roles, positioning women as the custodians of family honor through their adherence to prescribed moral and behavioral standards linking the social value of women and girls to their sexual purity. In cultures rooted in shame and honor, predominantly in the Global South. Honor manifests in various ways. For example, there is a strong emphasis on women and girls remaining sexually pure before marriage so that their sexuality remains managed by men in their natal family before marriage. For instance, consider Case No. 3 in Table 1 and Case No. 3 in Table 2 in *Chapter 4*. Engaging in premarital sexual relationships are generally perceived as a violation of cultural norms, bringing potential shame to the family, and hence, violence against the honor of male relatives²².

After marriage, female sexual purity manifests in monogamy. Infidelity or extramarital relationships may be seen as dishonorable and can lead to social ostracization or, in extreme cases, violence. In addition, the expectation for women to bear children, especially sons, is prevalent in many cultures. Sons are often seen as carrying on the family name and lineage. Failure to bear children, particularly male heirs, may be perceived as a failure to fulfil a woman's duty and impact the family's honor²³.

²² EL SAADAWI, NAWAL, THE HIDDEN FACE OF EVE: WOMEN IN THE ARAB WORLD (SHERIF HETATA TRANS. & ED., 2015)

²³ EL SAADAWI, NAWAL, THE HIDDEN FACE OF EVE: WOMEN IN THE ARAB WORLD (SHERIF HETATA TRANS. & ED., 2015)

Within the framework of the family unit, when women break any codes of honor, they are regarded as dishonoring the family. Honor is crucial for the agency of a family within the community, symbolizing its reputation and standing. When women are perceived to violate codes of honor, it directly challenges the family's collective honor, impacting its status in society.

Honor crimes represent acts of violence expected against women who have dishonored the family. They frequently manifest as murder. These crimes are deeply embedded within familial structures, where the notion of honor is intricately woven into the societal fabric. Historically, honor killings have roots in deeply ingrained patriarchal structures, transcending geographical and cultural boundaries, that allow males to execute violence against females within the home space. The violence associated with family honor is an extension of this pre-existing violence.

Pre-Existing Violence within Families: Domestic Violence

Before delving into the complexities of honor killings, it is essential to acknowledge the prevalence of pre-existing violence within families that is executed predominantly against women and girls most often with impunity. This violence is often labelled as DV, a common phenomenon in patriarchal contexts disproportionately affecting women and girls. Studies indicate alarming rates of DV in home spaces throughout patriarchal societies globally. The range and intensity of the violence comprising DV provides an unsettling framework of abuse that may already exist in homes where honor killings are executed²⁴. This pre-existing violence forms a critical backdrop to understand the origins and connections between honor killings and

²⁴ Reddy, Rupa, Domestic Violence or Cultural Tradition? Approaches to Honour Killing as Species and Subspecies in English Legal Practice, in HONOUR KILLING AND VIOLENCE: THEORY, POLICY & PRACTICE (Aisha K. Gill et al. eds., 2014).

broader forms of VAW and girls in general and in Jordan specifically. Recognizing these patterns is crucial for comprehending the intricate web of social structures that contribute to the perpetuation of violence within familial settings.

DV is a pattern of abusive behavior characterized by the exertion of power and control within an intimate relationship or familial setting. It encompasses a range of behaviors that can be physical, psychological, emotional, sexual, or financial in nature. The definition acknowledges that domestic violence extends beyond physical harm, encompassing various forms of abuse that can have severe and lasting effects on the victims and ends up being disproportionate against women and girls in the family due to patriarchy. DV is not limited to a specific demographic and can affect individuals of any age, gender, socioeconomic background, or cultural context²⁵.

Within the homespace as a private space, violence can take different forms, such as psychological violence that involves the use of intimidation, coercion, control, and manipulation to instill fear and dominance. It may include verbal abuse, threats, isolation, and psychological manipulation, leading to profound emotional distress. Research within the field of DV highlights the prevalence of psychological violence as a significant dimension of abuse within intimate relationships. Studies, such as those by Johnson and Ferraro, emphasize the nuanced nature of psychological abuse, encompassing tactics like intimidation, manipulation, and emotional control.²⁶ The UNODC (United Nations Office on Drugs and Crime)²⁷ 2019 report offers a comprehensive examination of VAW on a global scale. It provides insights into the prevalence, types, and impacts of violence experienced by women and girls, including DV. The report sheds light on the multifaceted nature of violence and contributes to a deeper

²⁵ Caputi, Jane & Russell, Diana E. H., *Femicide: Sexist Terrorism against Women*, in *FEMICIDE: THE POLITICS OF WOMAN KILLING* (Jill Radford & Diana E. H. Russell eds., 1992).

²⁶ Johnson, M. P., & Ferraro, K. J. (2000). Research on domestic violence in the 1990s: Making distinctions. *Journal of Marriage and the Family*, 62(4).

²⁷ The UNODC (United Nations Office on Drugs and Crime) 2019 report.

understanding of the challenges faced by women worldwide and it also notes that because of DV, the most dangerous place on earth for women and children is the home.

Honor crimes, while unique in their cultural context, fit within the broader spectrum of DV due to their nature as acts of harm within familial structures. The connection lies in the fact that honor crimes are a manifestation of power and control, reflecting a distorted sense of preserving family honor. The perceived violation of '*ird*' becomes a pretext for violence, and this aligns with the power dynamics inherent in domestic violence. The honor-based violence directed towards women and girls shares commonalities with other forms of DV, such as the exertion of control, intimidation, and the perpetuation of harmful gender norms.

Since the COVID-19 pandemic, Jordan has witnessed a surge in DV cases, reaching a staggering 54,743 incidents in 2020 alone according to the Higher Population Council. A shocking 82% of these cases involved husbands perpetrating violence against their wives. The forms of violence reported included physical abuse, sexual violence, and acts against young children, reflecting a troubling trend²⁸.

The legal landscape in Jordan contributes to the prevalence of DV. Discriminatory laws, such as those requiring women to seek male guardian permission to marry and restricting travel without male consent, leave women exposed to violence. The impact on women's human rights is profound, as discriminatory laws undermine key freedoms. Restrictions on marriage, travel, and autonomy within the family contribute to an environment where VAW is perpetuated. Loss of security, including freedom from violence, movement, and the right to choose a spouse, underscores the urgent need for legal reform to protect women's rights.

DV: Ird and Sharaf

²⁸ Rayya Al Muheisen. "*Jordan sees rise in domestic violence cases — report*" The Jordan Times. Oct 03, 2021.

The trigger for violence, stemming from the breach of *'ird,'* amplifies the communal stakes in maintaining the family's *'sharaf'* or honor. It is essential to acknowledge that honor killings are an extension of the pre-existing violence. was closely tied to maintaining societal norms and upholding a particular moral code. The concept of preserving honor, often synonymous with women's virtue and chastity, has been a recurring theme in various historical contexts. Its moral legitimacy tends to challenge the criminalization of murdering women in honor crimes.²⁹

In the specific case of Jordan, the historical context of honor killings is intertwined with the country's cultural and tribal heritage, which profoundly govern the family dynamics, including the permissibility DV. Jordan, like many other Middle Eastern societies, has a history shaped by tribal traditions and a patriarchal social order.³⁰

The practice of honor killings has historical roots in these cultural dynamics, where family reputation and honor were paramount. Throughout history, the patriarchal structure in Jordan, influenced by tribal affiliations, dictated rigid social roles and expectations. The perceived need to protect family honor has, at times, resulted in extreme measures such as honor killings. These acts were often justified within the cultural and social frameworks that placed a premium on maintaining the family's reputation within the community. The perceived breach of *'ird'* triggers a response that heightens the communal stakes in upholding the family's *'sharaf'* or honor. The traditional role assigned to male relatives of all ages as assumed guardians of family honor implies a collective responsibility shared by all male members, irrespective of age or hierarchical position within the family structure. This collective responsibility underscores every male's obligation to safeguard the family's collective virtue regardless of their independent views about it. This prioritization of the needs of the family

²⁹ Mills, Shereen Winifred, *Intimate Femicide and Abused Women Who Kill: A Feminist Legal Perspective*, in *FEMICIDE IN GLOBAL PERSPECTIVE* (Diana Russell & Roberta Harnes eds., 2001).

³⁰ Abu-Odeh, Lama, *Crimes of Honor and the construction of Gender in Arab Societies*, in *FEMINISM AND ISLAM: LEGAL LITERARY PERSPECTIVES* (Mai Yamani, ed., 1996).

unit over the needs of any individual within the family is paramount to establishing a communal sense of duty regarding the preservation of the family's honor³¹.

Role of 'Ird' and Cultural Expectations

Central to honor crimes is the concept of '*ird*,' deeply rooted in cultural norms. '*Ird*' obligates female purity, catalyzing violence when violated. Sociological and anthropological perspectives frame the family as a microcosm, assigning gender-based roles³². Within patriarchal structures, men assume guardianship, tasked with protecting family honor. For instance, consider Case No. 3 in Table 3 in *Chapter 4* when a male saw his sister walking with a stranger.

Legal defenses often mirror cultural narratives, potentially justifying perpetrators. Cultural expectations burden women, linking actions to family honor, and reinforcing traditional roles³³. Case studies in *Chapter 4* highlight the universality of this link, with real-life examples of violence. The profound implications of '*ird*' violations impact interconnected family honor dynamics. Fatal acts within families may involve violence to restore honor, distinguishing honor killings from domestic violence. Communal expectations play a critical role, in justifying extreme measures, including murder. The intricate web of patriarchal structures extends from the family to the community and state, reinforcing traditional norms. Communities enforce gender roles, contributing to societal expectations. Patriarchal values extend to state institutions, reflected in laws and policies. Normalization of violence, especially in family honor, solidifies patriarchal structures³⁴. Breaking this link requires societal efforts to challenge gender norms, educate communities, and advocate for legal reforms. Understanding honor killings as a manifestation of domestic violence involves exploring cultural expectations,

³¹ BARAKAT, HALIM, *THE ARAB WORLD: SOCIETY, CULTURE, AND STATE* (1993).

³² JABIRI, AFAF, *GENDERED POLITICS AND LAW IN JORDAN: GUARDIANSHIP OVER WOMEN* (2016).

³³ Davis, John, *Family and State in the Mediterranean*, in *HONOR AND SHAME AND THE UNITY OF THE MEDITERRANEAN* (David D. Gilmore ed., 1987).

³⁴ Caputi, Jane & Russell, Diana E. H., *Femicide: Sexist Terrorism against Women*, in *FEMICIDE: THE POLITICS OF WOMAN KILLING* (Jill Radford & Diana E. H. Russell eds., 1992).

communal pressures, and the perceived duty to safeguard family honor, even at the cost of lives.

The premise behind honor killings is male relatives, often acting as the supposed guardians of family honor, are permitted to resort to violence and, at times, even fatal acts, against female family members who they deem to have behaved inappropriately. The term "honor" carries a broader and intricately nuanced meaning in Arabic compared to its interpretation in English or the contemporary Western context³⁵. In Arabic, it encompasses two distinct, yet interconnected, concepts: one being the masculine "*sharaf*" denoting male honor, and the other is "*ird*," specifically referring to female sexual honor³⁶.

In Arabic, "*sharaf*" conveys notions of nobility, achievements, and reputation, always intertwined with the idea of self-respect, shaping a family's and the masculine honorable image among peers.³⁷

The trigger for such violence rests on the perceived violation of '*ird*,' an intricate obligation intricately tied to the notions of female purity and chastity. This perceived violation compels male relatives to protect his family's '*sharaf*' or honor to the extent of 'eliminating' those who have dishonored the family and in doing so purifying the family's honor, invoking terms like "purification of shame" and "preserving family honor" within the confines of courtrooms in legal arguments of defense³⁸. Therefore, the legal system supports masculine privilege in the home space, blurring the lines of what qualifies as unpermitted crimes and what qualifies as 'permissible' crimes.

Human Rights Violations

³⁵ RAPHAEL PATAI, THE ARAB MIND 120 (1973).

³⁶ *Id.* at 120-121.

³⁷ JAWAD ALI, AL-MUFASAL FI TARIKH AL-ARAB QABL AL-ISLAM [THE HISTORY OF ARABS BEFORE ISLAM] 804- 808 (1968)

³⁸ RAPHAEL PATAI, THE ARAB MIND 134 (1973).

In the lens of honor killings in Jordan, a range of human rights violations come to the forefront, spotlighting the urgent need for comprehensive reforms. The intentional taking of lives, often those of women, infringes upon the fundamental right to life as enshrined in international human rights instruments. Furthermore, the imposition of societal expectations, particularly concerning familial honor, encroaches upon individuals' autonomy and personal freedom, notably affecting women facing severe consequences for deviating from prescribed gender roles. Gender-based violence, exemplified by honor killings, perpetuates discriminatory attitudes and practices, violating the principles of equality and non-discrimination. The failure of legal systems to effectively address and prosecute honor killings denies victims their right to legal protection, allowing perpetrators to act with impunity. Legal proceedings that condone or mitigate honor crimes based on cultural or societal justifications can undermine the right to a fair trial. Moreover, honor killings strip victims of their dignity, exacerbating the violation of their basic human rights. The multifaceted human rights violations underscore the imperative for legal and societal transformations to eradicate the deeply ingrained practice of honor killings and ensure the protection and empowerment of individuals, particularly women, within familial and societal contexts.

Chapter 3: Honor Killings in Jordan

Honor killings represent a distinct manifestation of DV, characterized by the intentional killing of an individual, often a woman or a girl, by family members or relatives, often a male due to perceived violations of cultural or familial honor. Unlike some forms of DV, honor killings are often premeditated and involve a communal dimension, making them unique within the broader context of DV,³⁹ there's specific dynamics that differentiate honor killings from other forms of DV in which women may die, emphasizing their cultural and communal underpinnings.

Honor Killings in the Middle East

Honor killings, prevalent in the Middle East due to cultural and historical factors, trace their roots to tribal societies, intertwining family honor with community reputation. Legal frameworks, sometimes perceived as lenient, contribute to the justification of such crimes, with societal changes and globalization tensions potentially increasing incidents⁴⁰. Despite Islam's disapproval, religious interpretations and practices influence perceptions of honor killings. The complex issue involves legal loopholes, resistance from communities, and religious considerations, requiring nuanced initiatives for change⁴¹. Traditional gender roles, communal responsibilities, and sociocultural dynamics intersect, necessitating efforts to address deeply ingrained societal factors. While statistical data varies, a troubling pattern of GBV linked to family honor persists⁴². The analysis of reported cases over time reveals a consistent and

³⁹ TAHIRA KHAN, BEYOND HONOR: A HISTORICAL MATERIALIST EXPLANATION OF HONOR RELATED VIOLENCE 43 (2006).

⁴⁰ Abu-Odeh, Lama, Crimes of Honor and the construction of Gender in Arab Societies, in FEMINISM AND ISLAM: LEGAL LITERARY PERSPECTIVES.

⁴¹ HALLAQ, WAEL B., A HISTORY OF ISLAMIC LEGAL THEORIES: AN INTRODUCTION TO SUNNI USUL AL-FIQH (1997).

⁴² GENDER AND VIOLENCE IN ISLAMIC SOCIETIES: PATRIARCHY, ISLAMISM AND POLITICS IN THE MIDDLE EAST AND NORTH AFRICA (ZAHIA SAMIL SALHI ED., 2013).

troubling pattern, emphasizing the need for nuanced strategies that challenge harmful norms and promote human rights protection.

Honor Killings as Femicide in Jordan

Reporting rates for honor killings face numerous obstacles. Societal norms and stigma create barriers, as victims fear reprisals and social ostracization, and perceive legal systems as inadequate. Gender-based power dynamics silence victims, complicating accurate data collection. Underreporting is likely higher due to cultural and familial pressures, with victims fearing retaliation or harm. Honor killings may be disguised as accidents or suicides, hindering true-scale understanding. Obtaining accurate data in the Middle East is challenging due to cultural taboos, legal barriers, and authorities' reluctance. A comprehensive approach beyond statistical analysis is crucial, involving dismantling barriers, strengthening legal frameworks, and fostering awareness. Encouraging open dialogue, implementing protective measures, and legal reforms can improve reporting rates and work towards eradicating honor crimes in Jordan.

Honor killings, a tragic subset of femicide, continue to plague societies worldwide, and Jordan is no exception. In Jordan, a country rich in cultural heritage, societal norms and traditions heavily influence gender roles and expectations. The concept of family honor, deeply embedded in Jordanian culture, becomes a perilous weapon against women who deviate from prescribed behavioral norms. The perceived tarnishing of family honor often becomes the tragic justification for honor killings.

The patriarchal framework that governs many aspects of Jordanian society (*Chapter 2*) plays a pivotal role in the perpetuation of honor killings. Women's autonomy is frequently curtailed, and familial control over their choices is enforced. The patriarchal structure not only limits women's agency but also perpetuates a culture of silence, making it challenging for victims to escape the cycle of violence.

According to Navi Pillay, former UN High Commissioner for Human Rights, honor killings are defined as "acts of violence, usually murder, committed by male family members against female family members who are perceived to have brought dishonor upon the family."⁴³ Honor killings involve the intentional killing of women or girls by family members due to the belief that the victims have brought shame or dishonor to the family or community," as defined by the World Health Organization⁴⁴.

On the other hand, The UN defines femicide as "the intentional killing of women because they are women, but it is broader than that. It is also rooted in historical and structural gender-based discrimination."⁴⁵ Jill Radford, a scholar in criminology, defines femicide as "the killing of females by males because they are females." Diana E. H. Russell, a renowned feminist scholar, describes femicide as "the killing of females by males because they are females"⁴⁶.

In academic discussions, honor killings as femicide are often described as instances where women are murdered within a cultural or familial context, with the primary motive being the perceived violation of societal norms or family honor. This involves a gender-specific form of violence that results in the death of women, often perpetrated by male family members.

An academic paper by Aisha K. Gill, in "Honor Killings and the Construction of Gender in Britain,"⁴⁷ explores honor killings as femicide, emphasizing the intersectionality of gender, culture, and violence.

These definitions highlight the gender-specific nature of both honor killings and femicide, with a focus on the cultural and societal contexts that underpin these forms of violence against women. Academic discussions on these topics often explore the complex

⁴³ Statement by the United Nations High Commissioner for Human Rights, Navi Pillay, on the occasion of International Women's Day, which is commemorated on 8 March 2010.

⁴⁴ World Health Organization. "*Understanding and addressing violence against women: Femicide.*" 2002.

⁴⁵ United Nations. "*Declaration on the Elimination of Violence against Women.*" 1993.

⁴⁶ Jill Radford, and Diana E. H. Russell "*Femicide: the Politics of Woman Killing*" 1992.

⁴⁷ Gill, Aisha K. "*Honor Killings and the Construction of Gender in Britain.*" 2004.

dynamics involved in understanding and addressing such acts of violence within different cultural and legal frameworks. The intersection of honor killings and femicide in Jordan is complex and deeply ingrained in societal norms. Honor killings, driven by the preservation of family honor and *sharaf*, are a specific manifestation of femicide within a cultural context. Women in Jordan can face lethal consequences if their actions are perceived as deviating from prescribed norms, whether in choosing a partner, seeking independence, or pursuing education. In the context of honor within patriarchal societies, "honor" is a complex and multifaceted concept deeply tied to societal expectations and traditional gender roles. Honor, in this context, is often associated with preserving the perceived virtue and moral standing of a family, particularly concerning the actions and behaviors of its female members as mentioned earlier. The concept places a significant emphasis on female purity, modesty, and adherence to prescribed social norms. Men's agency in society, within the framework of honor, is closely linked to their role as the protectors and enforcers of family honor⁴⁸. In patriarchal structures, men are assigned the responsibility of safeguarding the family's reputation mainly to manage their own privilege within the families and, by extension, within broader society. Their masculine agency is often defined by their ability to control and regulate the behavior of female family members.

Men's agency in their communities is measured in the degree to which they maintain their honor in the community. That honor manifests through their perceived authority to dictate the actions of female family members and, at times, enforce female compliance through measures such as the social permission to execute honor killings. The concept of honor becomes a tool through which men exercise control over women's lives, as any perceived deviation from prescribed norms is seen as a direct challenge to the family's honor. The link among female

⁴⁸ Abu-Odeh, Lama, Crimes of Honor and the construction of Gender in Arab Societies, in FEMINISM AND ISLAM: LEGAL LITERARY PERSPECTIVES (Mai Yamani, ed., 1996).

chastity, men's honor, and men's agency reinforces traditional gender roles, where men are expected to assert dominance and control within the family unit. Their agency is defined by their ability to uphold societal expectations, ensuring that female family members align with prescribed moral codes. This perpetuates a system where men are not only the enforcers of honor but also hold the power to shape and define the social standing of the family within the larger community⁴⁹.

⁴⁹ JABIRI, AFAF, GENDERED POLITICS AND LAW IN JORDAN: GUARDIANSHIP OVER WOMEN (2016).

Chapter 4: Honor Killings as Femicide and Judiciary Application and Interpretation of Articles 340, 98, and 99

In exploring the nexus of Honor Killings as Femicide and the Judiciary's Application and Interpretation of *Articles 340, 98, and 99*, it is imperative to confront the pervasive challenges in reporting these crimes. Honor killings, a distressing facet of femicide, cast a dark shadow over societies globally, with Jordan grappling with its own complex dynamics. Societal norms, deeply rooted in cultural heritage, intertwine with legal interpretations, shaping an environment where women's lives are tragically entangled with the perilous notion of family honor.

British imperialism fostered legal pluralism in Jordan, allowing for the preservation of different cultural identities but also contributing to a fragmented legal landscape. The coexistence of European, tribal, and Islamic legal systems created complexities in addressing VAW/GBV cases⁵⁰. This legal pluralism may have legitimized certain forms of violence against women by providing loopholes and inconsistencies within the legal framework. For example, under legal pluralism influenced by imperialism, if European, tribal, and Islamic legal systems are concurrently applied, there might be discrepancies in defining and addressing violence against women (VAW) or gender-based violence (GBV). For instance, a case of domestic violence may be interpreted differently under each legal system, preventing a comprehensive approach or even change to advance women's security. A woman experiencing violence may find that her situation is not effectively addressed due to contradictions or gaps in the legal framework. This ambiguity might lead to cases where certain forms of violence against women are not treated with the seriousness they deserve, thereby unintentionally legitimizing or downplaying such acts within specific legal contexts. This is because the fragmented legal landscape, influenced by imperialism, may inadvertently create spaces where certain actions that constitute violence against women are not uniformly condemned or

⁵⁰ William Twining, *Normative and Legal Pluralism: A Global Perspective*, 20 *DUKE J. COMP. & INT'L L.* (2010).

penalized, contributing to a situation where perpetrators may act with impunity in certain legal spheres or under certain legal traditions.

The Jordanian legal system might struggle to reconcile the protection of women's rights with cultural expectations tied to honor, resulting in lenient sentences or legal ambiguities. Moreover, the colonial legacy often involved the imperial manipulation of the gender dynamics of the native spaces to assert control and dominance over the native people and geographies. In some instances, violence against native women was used as a tool to emasculate native men, reinforcing colonial power dynamics. By targeting women, colonial powers sought to undermine the perceived masculinity of native men, contributing to a broader strategy of disempowerment and control. This strategy aimed to disrupt traditional social structures and assert colonial authority by using gender relations as a means of mapping out and reshaping masculinity within the native population.

Upon gaining independence in 1946, Jordan underwent a significant transformation in its legal system, seeking to merge Ottoman, British, tribal, and Islamic laws. Despite efforts to modernize legal structures, traditional norms, especially those governing women, persisted. This coexistence of legal systems created a complex and often conflicting framework, setting the stage for the perpetuation of practices discriminatory to women⁵¹.

That discrimination is compounded by the infrastructure and demographic of the Jordanian judicial system. This system comprises a civil court, a specialized court, and an Islamic court, with honor killings falling under the jurisdiction of the civil court's criminal law. Jordanian criminal law draws from a blend of the Napoleonic Code⁵² and Ottoman law, while contemporary Muslim law in Jordan focuses solely on family and inheritance law. The legal articles of honor killings, prosecuted in the civil court, do not stem from Islamic religious

⁵¹ Brian Z. Tamanaha, *Understating Legal Pluralism: Past to Present, Local to Global*, 30 SYDNEY L. REV. 375, 383 (2008); see also BERMAN, *supra* note 321, at 13-14.

⁵² 19th-century French law

heritage but rather reflect a legacy of European and Ottoman legal influences, highlighting the absence of a legal connection between Islam and honor killings in Jordanian legislation⁵³. The deeply ingrained notion of honor crimes, rooted in both legal and societal norms, contributed to a climate where violence against women was tolerated.

Following independence, the issue of adjudicating laws related to VAW and GBV became a complex challenge in the context of competing legal systems. The question of who adjudicates these laws involves an exploration of the judicial landscape, including the composition of judges, gender representation, and any shifts that may have occurred over time⁵⁴. Traditionally, the legal profession, including judgeships, has been heterosexual male dominated. In many societies, including Jordan, the representation of women in the judiciary has historically been limited⁵⁵. The percentages of male and female judges can vary over time and are subject to societal and legal changes. Men judges, influenced by societal biases, may align with traditional views of crimes, including honor killings, potentially undervaluing the lives of women involved in such cases. This bias might stem from cultural norms that perpetuate GBV. In recent years, there has been a growing recognition of the importance of gender diversity in the judiciary to ensure a more balanced and inclusive legal system. Efforts have been made globally, and within countries like Jordan, to encourage more women to pursue legal careers and enter the judiciary.

Initially influenced by colonial legacies and conservative values, the Jordanian Penal Code contained provisions inadequately addressing VAW and instead emphasizing a woman's potential to violate the honor of her family⁵⁶. This complicated history context as well as the

⁵³ Louise Rautureau. "*Honor crimes in Jordan: between legislation and women's experience*". Amman Center for Human Rights Studies. 2020/12)

⁵⁴ Sonbol, Amira El-Azhary, Muslim Women and Legal Reform: The Case of Jordan and Women's Work, in ISLAMIC LAW AND THE CHALLENGES OF MODERNITY, 2004

⁵⁵ Salhi, Zahia Smail, Introduction, in GENDER AND VIOLENCE IN ISLAMIC SOCIETIES: PATRIARCHY, ISLAMISM AND POLITICS IN THE MIDDLE EAST AND NORTH AFRICA (Zahia Smail Salhi ed., 2013).

⁵⁶ Suad Joseph, *Gender and Family in the Arab World*, in ARAB WOMEN BETWEEN DEFIANCE AND RESTRAINT 194 (Suha Sabbagh ed., 1996). See also HALIM BARAKAT, THE ARAB WORLD: SOCIETY, CULTURE, AND STATE 97 (1993).

current adjudication of honor crimes mainly by heterosexual men is at the heart of what can be construed as the continued legal tolerance of honor crimes in Jordan. This is explicitly clear in Articles 98, 99, and 340.

Honor as an Excuse for Murder Under Jordanian Penal Code

The legal landscape in Jordan reflects a gendered approach within its criminal code, a trend observable in many Arab nations. Specifically, the criminal laws exhibit a bias influenced by predetermined gender roles⁵⁷. When crimes involve women, the legal system operates differently, often casting the woman, typically the victim, as the actual offender most notably due to pre-existing devaluation of women in patriarchy and even more so in cases where they are perceived to subvert the honor of men in their families⁵⁸. Catherine Warrick notes that in such cases, the victim virtually disappears, even to the extent of their names being expunged from court records⁵⁹. This phenomenon is particularly pronounced in honor crimes, where judges, upholding cultural and social norms related to virginity, sexuality, and morality, draw distinctions between men and women.

Despite the prevalent use of the term '*sharaf*' (honor) in discussions around these crimes, it is notably absent from the actual criminal laws applied in Jordanian courts as it appears in the data⁶⁰. Honor crimes are presented before the judiciary as a form of homicide, with "honor" serving a dual role as a stated motive and a defense to justify the act but it is not categorized as a crime against a woman by her male relative. Notably, existing laws in Jordan permit fathers, brothers, uncles, and male relatives to receive reduced punishments for the

⁵⁷ Catherine Warrick, *The Vanishing Victim: Criminal Law and Gender in Jordan*, 39 L. & SOC'Y REV. 315, 318 (2005).

⁵⁸ *Id.*

⁵⁹ Catherine Warrick, *Law on the Service of Legitimacy: Gender and the Political System in Jordan* 86 (June 6, 2002) (unpublished Ph.D. dissertation, Georgetown University) (on file with author).

⁶⁰ Warrick, *supra* note 1112, at 95.

killing of female family members in the name of honor⁶¹. Therefore, the existence of the laws is a loophole by which to devalue the lives of women.

The absence of the term '*sharaf*' (honor) from the actual criminal laws applied in Jordanian courts, despite its prevalent use in discussions surrounding honor crimes, introduces significant problems. First and foremost, the framing of honor crimes as forms of homicide obscures the distinct nature of these crimes and fails to recognize the specific motives rooted in patriarchal notions of family honor.

This approach, where "honor" serves both as a stated motive and a defense to justify the act, contributes to a legal framework that inadequately addresses the unique dynamics of honor crimes. By categorizing them merely as homicides, the legal system overlooks the underlying gender-based motivations and the societal expectations that fuel such crimes. Especially crimes involving the murder of women, it's strategically due to their gender. This underscores the importance of categorizing these acts not merely as homicides but specifically as femicides.

Moreover, the problem is exacerbated by the permissibility of reduced punishments for perpetrators when the act is committed in the name of honor. This issue is further compounded by the predominant presence of male judges in the judiciary, who, based on my observations of accessible cases, tend to endorse reduced sentences, contributing to the problem.

This legal leniency reinforces a normative framework that condones violence against women in the name of preserving family honor and more loses the ability to distinguish violence against women as such. It sends a troubling message that the societal value placed on honor can be invoked as a mitigating factor, allowing perpetrators to escape full accountability for their actions. The allowance for leniency in cases of VAW in the name of honor suggests that women's right to life is ultimately determined by men.

⁶¹ SONBOL, *supra* note 314, at 189.

The legal framework addressing honor crimes in Jordan is primarily embedded in the Penal Code. Key articles relevant to the prosecution of honor crimes in Jordan include *Articles 98, 99, and 340*. Noteworthy changes occurred in Articles 98 and 99 in November 2017. These provisions will be further explored in this chapter, including case studies examining their application, sentencing requirements, and the extent to which the law maintains gender neutrality in practice.

Articles 98, 99, and 340

At the core of this disheartening reality lie Articles 98, 99, and 340 of the Jordanian Penal Code as following:

Article 98. Sudden Provocation Defense⁶² before Nov. 2017: Extenuating Excuse:

1. Killing in a fit of fury; and,
2. Motivated by the dishonorable and provocative behaviour of the victim.

Sentence: Reduced sentence because the killing is an excused homicide (6 months to 1 year as a minimum).

Article 98. Sudden Provocation Defense⁶³ after Nov. 2017: An additional condition is added to the above text:

An individual shall not be benefit from the excuse if he murdered a female in a situation that is outside the scope of Article 340.

Sentence: Reduced sentence because the killing is an excused homicide (6 months to 1 year as a minimum).

⁶² Art. 98 (*Sudden Provocation Defense (Aluthor Almokhafef)*) Law No. 27/2017 QANUN AL-UQUBAT AL-URDUNI [JORDANIAN PENAL CODE], 5479 Al-Jarida Al-Rasmiya, (8/30/2017).

⁶³ Art. 98 (*Sudden Provocation Defense (Aluthor Almokhafef)*) Law No. 27/2017 QANUN AL-UQUBAT AL-URDUNI [JORDANIAN PENAL CODE], 5479 Al-Jarida Al-Rasmiya, (8/30/2017).

Article 99. Extenuating Reasons⁶⁴ before Nov. 2017: The extenuating reason is not specified by the law and relies on complete judicial discretion. Case laws suggest that the most common reason is the victim's family choosing to drop their personal charges against the defendant.

Sentence: Reduced sentence;

1. Instead of the death penalty, 10 to 20 years of permanent or temporal hard labor; or,
2. Instead of permanent hard labor, to temporary hard labor no less than 8 years, and instead of life imprisonment, no less than 8 years in prison; and,
3. Court may lower any sentence by half; or, 4. With the exception of a repeat offense, Court may lower any minimum sentence of at least 3 years to 1 year.

Article 99. Extenuating Reasons⁶⁵ after Nov. 2017: The extenuating reason is not specified by the law, and relies on complete judicial discretion. Case law suggest that the most common reason is the victim's family choosing to drop their personal charges against the defendant.

Sentence: Reduced punishment;

1. Instead of death penalty, 15 to 25 years of labor; or,
2. Instead of permanent labor or life imprisonment, 15 to 20 years of labor or imprisonment; or,
2. Instead of 20 years of labor or imprisonment, 12 to 15 years of labor or imprisonment; or,
3. Court may lower any sentence to no more than a third of the original sentence; or,
4. Within the presence of the extenuating circumstances, court may lower the sentence to the minimum possible.

Article 340. Excuse in Murder⁶⁶: Extenuating Excuse

⁶⁴ Art. 99 (*Extenuating Reasons (Aloqobat Ala AlJaraem enda Twafor Asbab Mokafefa)*) Law No. 27/2017 QANUN AL-UQUBAT AL-URDUNI [JORDANIAN PENAL CODE], 5479 Al-Jarida Al-Rasmiya, (8/30/2017).

⁶⁵ Art. 99 (*Extenuating Reasons (Aloqobat Ala AlJaraem enda Twafor Asbab Mokafefa)*) Law No. 27/2017 QANUN AL-UQUBAT AL-URDUNI [JORDANIAN PENAL CODE], 5479 Al-Jarida Al-Rasmiya, (8/30/2017).

⁶⁶ Art. 340 (*Excuse in Murder (Aluthor fi Alqatel)*) Law No. 27/2017 QANUN AL-UQUBAT AL-URDUNI [JORDANIAN PENAL CODE], 5479 Al-Jarida Al-Rasmiya, (8/30/2017).

1. A man killing/attacking his wife or any of his female ascendant or descendent or/and the lover in a state of adultery or illegitimate bed; or,

2. A wife killing/attacking her husband or his lover in a state of adultery or illegitimate bed inside the marital home.

Sentence: Reduced sentence because the killing is an excused homicide (6 months to 1 year as a minimum).

Articles 340 and 98 introduce the Passion Model Defense, impacting the classification of murder, diminishing the defendant's culpability, and making them eligible for reduced punishment, contingent on the presence of extenuating circumstances⁶⁷. Article 340 provides a defense for murder in situations where a spouse or male relative discovers their partner or female family member engaged in adultery, leading to a crime of passion. Remarkably, Jordan's law extends this defense beyond husbands to encompass natal family members⁶⁸, unlike some other legal frameworks, such as Egypt's, which restricts it to husbands only.⁶⁹ Rooted in a blend of French and Ottoman penal codes⁷⁰, Article 340 faced amendments in response to mounting instances of male relatives committing violence against women in their families. International and local pressure to address lenient treatments for perpetrators contributed to the evolution of this article. The final amendments replaced complete exoneration with a mitigated penalty and expanded the defense to women under specific conditions, if a woman kills her husband: a woman might invoke this excuse if the crime occurs within the marital home and the victim is her husband.⁷¹

⁶⁷ MUHAMMED SAEED NAMUR, SHARH QANUN AL-OQUBAT: AL-QISM ALKHAS, ALJARAIM ALWAQIA ALA ALASHKHAS [THE EXPLANATION OF JORDANIAN PENAL CODE: FIRST SECTION, OFFENCES AGAINST THE HUMAN BODY] 96-97 (2015).

⁶⁸ Abu-Odeh, *supra* note 313, at 915.

⁶⁹ Law No. 58 of 1937 (Criminal Code), *al-Waqa'i al-Misriyah*, vol. 71, art. 237, 5 August 1937 (Egypt).

⁷⁰ See CODE PENAL 1810 [C. PEN], art. 324 (Fr.)

⁷¹ Abu-Odeh, *supra* note 313, at 915.

Despite the potential use of Article 340 in justifying honor killings, defendants seldom employ it in trials due to the stringent condition of catching the victim in the act. In cases where victims are killed based on perceived violations of family "honor," often driven by rumours⁷², Article 98 proves more effective. Article 98, tracing its origins to historical French-based law⁷³, operates as a general provocation law within the Penal Code, primarily employed in honor-related cases. Theoretically, it provides a defense for murder in situations of sudden provocation, lowering both the crime and the ensuing punishment⁷⁴. Article 98 considers crimes committed in a "fit of fury" due to the victim's wrongful and dangerous act, reducing the penalty by eliminating the premeditation element of first-degree murder. Importantly, it maintains gender neutrality, lacking explicit references to the gender of either the accused or the victim. An additional section, effective since November 2017, restricts defendants from benefiting from Article 98 if the crime was committed against a female outside the scope of Article 340⁷⁵.

Article 99: Mitigating Circumstances Leading to Reduced Penalties

In contrast to Articles 340 and 98, Article 99 does not alter the essence of the murder or the level of the defendant's culpability. Instead, it offers a merciful reduction in punishment across various criminal cases⁷⁶. Titled "Extenuating Reasons," Article 99 empowers judges with discretionary authority to diminish the punishment for individuals convicted of a crime if certain mitigating factors are present⁷⁷. These factors lack specific enumeration, with their relevance hinging on the nuances of each case and the interpretive and absolute discretion

⁷² Warrick, *supra* note 1112, at 95.

⁷³ SONBOL, *supra* note 314, at 196.

⁷⁴ NAMUR, *supra* note 1156, at 103.

⁷⁵ Law No. 27/2017, QANUN AL-UQUBAT AL-URDUNI [JORDANIAN PENAL CODE], 5479 Al-Jarida Al-Rasmiya, 5334 (8/30/2017). Art. 98

⁷⁶ NAMUR, *supra* note 1156, at 94-97.

⁷⁷ *Id.* at 96-97

exercised by the judges. While judges hold the option, they are not bound, to reduce the sentence in line with Article 99, and the reduction can be up to one-half of original sentence⁷⁸. It is noteworthy that recent amendments effective since November 2017 have revised this percentage from half to one-third.

Jordanian Judicial Process for Honor Crimes

As outlined earlier, the laws concerning honor crimes ostensibly target the behavior of both genders and maintain a facade of gender neutrality. However, the application of these laws in Jordanian courts reveals a deeply entrenched patriarchal and gender-biased conception of honor, heavily influenced by traditional Islamic and tribal norms stressing female chastity as central to masculine honor as discussed previously. This results in a consistent bias favoring male perpetrators. In a society dominated by men, the centrality of masculine honor reinforces its prioritization over female life, shaping a narrative where masculine agency takes precedence.

Despite the laws seemingly adopting a modern and gender-neutral stance, the judicial interpretation leans heavily on historical norms, perpetuating the subordination of women within the family structure and facilitating family-based violence. It is important to note that it's pre-existing patriarchy and the DV laws that facilitate this.

As some scholars examined patriarchy and the law, they contend that while legal language may be crafted to appear gender-neutral, a closer analysis exposes the male-centric nature of its primary subjects⁷⁹. Judges wield substantial discretion, enabling biased treatment in these cases, often favoring the perpetrator over the victim, and the victim has no voice here. Even if

⁷⁸Law No. 8/2011, QANUN AL-UQUBAT AL-URDUNI [JORDANIAN PENAL CODE], 5090 Al-Jarida Al-Rasmiya, 1758 (5/2/2011). Art. 99

⁷⁹ Go back to Hilaire Barnetts Book pg 175

the legal framework is rooted in a passion model or appears to align with a modern civil code, the intrusion of customs and traditions associated with the defense of *sharaf* introduces other excuses found in Articles 98 and 99. Through this lens, it becomes evident that the judiciary is misapplying the law, permitting a gendered interpretation of Articles 340, 98, and 99 within the Jordanian Penal Code. Scrutinizing the courtroom dynamics sheds light on why honor crimes continue to be adjudicated as excused homicides. As highlighted in the introduction, finding cases posed significant challenges. The lack of records, limited access, and absence of identifying information about the women killed in honor crimes collectively contribute to the erasure of their experiences and identities. The lack of comprehensive documentation hinders a full understanding of the extent of these crimes and perpetuates the silence surrounding them.

Judiciary Application and Interpretation of Articles 340, 98, and 99

While none of the legal provisions explicitly endorse honor killings, they are frequently invoked in tandem, allowing the accused to utilize family honor as a legal justification for their actions. As previously mentioned, judges are obligated to apply Articles 340 and 98 under specific conditions, with the option to apply Article 99 if convinced of mitigating circumstances⁸⁰. The law grants judges significant discretionary powers in such instances. However, the language in these provisions lacks precision in defining the qualifying conditions for a reduction in the defendant's crimes or penalty. For example, the law leaves room for judges to determine what constitutes provocative behavior in the context of Article 98. In all cases documented in *Table 1*, a reduction was notably implemented. In these cases, judges are

⁸⁰ MUHAMMED SAEED NAMUR, SHARH QANUN AL-OQUBAT: AL-QISM ALKHAS, ALJARAIM ALWAQIA ALA ALASHKHAS [THE EXPLANATION OF JORDANIAN PENAL CODE: FIRST SECTION, OFFENCES AGAINST THE HUMAN BODY] 96-97 (2015).

not bound by a reasonableness standard. Instead, the application of Articles 340, 98, and 99 relies heavily on judicial discretion and interpretation of the motives⁸¹.

Examination of case transcripts reveals gender biases within the judiciary. In most case studies, the victim, despite being tragically killed, is consistently portrayed as the guilty party who violated perceived norms of family honor. To underscore the broad discretionary power favoring men over women and distinguishing the crime, the following section delves into two concepts; the 'sudden provocation defense' and the 'dropped personal charges by the family' in the context of honor-related murders.

1. The Use of the 'Sudden Provocation Defense': Examining Article 98 and Its Application in Honor Crime Cases

The presented table showcases pertinent cases exemplifying the mitigation of penalties in honor crimes, utilizing the sudden provocation defense. These seven cases spanned from 2000 to 2013, and the case records, sourced from the Jordanian criminal court, were acquired through an NGO⁸². All content in Arabic was translated into English. The challenge is compounded by the limited transparency of Jordan and its legal system.

These cases are categorized based on the alleged motives of the defendants, aiming to assess the impact of Jordan's broad patriarchal interpretation of honor or the defense of family *sharaf* in response to violations of *ird* at the cultural and societal levels. This interpretation is reflected in the male-centric entitlement to harm females. In these instances, the defendants, following family intervention and dropped charges, received the minimum possible punishment.

⁸¹ *Id.*

⁸² Reemaz Mousa, *Tahta Thariaht Alsharaf: Ma Ba'd Aljarema* [Crimes Under the Name of Honor], 7IBER (Dec. 9, 2014).

Table 1: Article 98

Case No.	Marital Status of the Victim	Defendant	Motivation	Year	Mode of Killing	Sentence
1. 80/2000	Married	Brother	Raped	1999- Alsaalt	Stabbed to death	Manslaughter reduced to 6 months in prison
2. 1098/2001	Married	Brother	Married her rapist	2001- Alqhur Alsafi	Stabbed to death	Manslaughter reduced to 6 months in prison
3. 1351/2004	Single	Brother	Pregnancy out of wedlock	2003- unkown	Slaughtered to death	Manslaughter reduced to 6 months in prison
4. 132/2005	Married	Brother	Ran away from the house	2002- Aldulail	Stabbed to death	Manslaughter reduced to 6 months in prison
5. 398/2004	Single	Brother	Threatened to run away	2004- Marka	Stabbed to death	Manslaughter reduced to one year in prison
6. 1352/2013	Married	Brother	Victim's husband found a strange man in the house	2012- Almuwaqqar	Stabbed to death	Manslaughter reduced to 2 years in prison

7. 116 /20 00	Single	Brother	Walked with a stranger	2000- Amman	Stabbed to death	Manslaugh ter reduced to 6 months in prison
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Over the years, Article 98 has mirrored the societal and legal approach to honor crimes in Jordan⁸³, akin to crimes of passion laws present in various countries⁸⁴. This provision, often referred to as the 'sudden provocation defense,' is wielded conveniently in courts, requiring the defendant to demonstrate that they committed the murder in a state of anger—a determination entirely at the judge's discretion and contingent on the victim's behaviour before the crime⁸⁵. Frequently employed *in lieu* of Article 340 (on crimes of passion) in honor-related murders, this defense saw success in different cases, defendants still received lenient sentences as their families dropped personal charges under Article 99, as discussed in the subsequent section.

Article 98 essentially mandates that the defendant must be provoked, experiencing a psychological impact diminishing their ability to think or act reasonably due to anger. To fulfil the requirement of a wrongful and dangerous act, the law necessitates that the conduct be physical and dangerous, directed against the defendant. Premeditated, the anger is excused as anger against women and the violence that comes with it is already excusable in DV laws.⁸⁶ Additionally, the defendant must establish a direct cause-and-effect relationship between the victim's provocative act and their own response, emphasizing the immediacy of the reaction.

However, in practice, this passion-driven legal framework is not consistently applied in Jordanian courts, particularly in honor crimes cases, as the conditions outlined are left to the

⁸³ CATHERINE WARRICK, LAW IN THE SERVICE OF LEGITIMACY: GENDER AND POLITICS IN JORDAN 74 (2009).

⁸⁴ *Id.*

⁸⁵ MUHAMMED SAEED NAMUR, SHARH QANUN AL-OQUBAT: AL-QISM ALKHAS, ALJARAIM ALWAQIA ALA ALASHKHAS [THE EXPLANATION OF JORDANIAN PENAL CODE: FIRST SECTION, OFFENCES AGAINST THE HUMAN BODY] 96-97 (2015).

⁸⁶ *Id.* at 102.

judges' interpretation⁸⁷. Beginning with the determination of which defendant can benefit from such a defense and the reasons that permit it, it is noteworthy that, in all cases examined in this study, the lawyers are mainly men and the husband did not commit the murder and avail themselves of this defense.

Article 98 lacks specific definitions for the circumstances leading to a crime committed in a 'fit of fury'.⁸⁸ In other words, it does not establish the requisite wrongful and dangerous conduct on the part of the victim that would legally justify the sudden provocation defense. Rather, it assumes her wrongdoing period. Several cases in this study highlight this ambiguity.

For instance, the first three cases presented in the table propose that any sexual act by the victim is considered adequate provocation as it jeopardizes the family's *sharaf*. In these instances, the defendants purportedly took the lives of their female relatives due to instances of pregnancy out of wedlock and rape, which is automatically blamed on her. These circumstances are deemed the most perilous conduct that could be aimed at a family's honor. While sexual behaviour is one application of Article 98, cases numbered 4-7 in the table suggest that even a mere suspicion of inappropriate conduct is enough to invoke the law, even if it is based on provocative words exchanged with the defendant. Therefore, the female voice can be interpreted as threatening male honor. This is despite the law explicitly stating that the provocative act must be "tangible and no evidence is needed except what the defendant presents."⁸⁹ For example, in Case No.7, a brother fatally stabbed his sister after questioning her about walking with an unknown man and her response, asserting her freedom to go wherever she pleased.

⁸⁷ *Id* at 102-104.

⁸⁸ Reem Abu Hassan & Lynn Welchman, Changing the Rules: Developments on 'Crimes of Honour' in Jordan, in HONOUR: CRIMES, PARADIGMS, AND VIOLENCE AGAINST WOMEN 202 (Lynn Welchman & Sara Hossain eds., 2011).

⁸⁹ Law No. 27/2017, QANUN AL-UQUBAT AL-URDUNI [JORDANIAN PENAL CODE], 5479 Al-Jarida Al-Rasmiya, 5334 (8/30/2017). Art. 98

In assessing the severity of the act, the court often considers instances where the victim has run away from home multiple times. Cases 5 and 7, for example, depict victims engaged in heated arguments with the defendants, threatening to leave the house again. The court views these threats as constituting a dangerous act justifying a reduced penalty for the perpetrators. These cases illustrate that in Jordan, women can be subjected to lethal consequences not only for violating their family's honor but also for mere suspicions of such violations or even future potential of committing 'immoral' acts. Jordanian courts have determined that it suffices for the defendant to believe that the victim committed an act perceived as motivation for murder, without the need for substantial evidence or any evidence at all.

In Case No. 6, for instance, a brother fatally assaulted his sister, after finding out from her husband that she was found with a man in the house. According to the court, the mere fact that the victim allowed a man into her house was sufficient to tarnish her family's reputation, thus, diminishing the defendant's responsibility. It is noteworthy that nothing else was proven, which stresses the masculine authority and honor as central to the private space (*Chapter 2*). Another discretionary matter left to the judge is the time required to meet *Article 98's* "immediate reaction" or "surprise" requirement, as described in the preceding section. Numerous court decisions in honor-related cases indicate that the Article may be applicable, even if a significant period elapsed between the defendant's awareness of the victim's provocative behaviour and the eventual act of murder. There is no specific duration stipulated to define the time frame of a 'fit of passion.'

Conversely, in a 2008 ruling⁹⁰, a female defendant took her husband's life five months after he had threatened to kill her upon discovering her infidelity. Despite her argument that the killing was an immediate reaction, invoking *Article 98* as a defense, the court rejected her

⁹⁰ Case No. 1193/2008 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2008, Jordan. <http://www.lawjo.net/vb/showthread.php?9175>.

claim. The court asserted that the five-month interval between the provocation and the crime was sufficient evidence to establish her intent to murder the victim⁹¹.

2. Article 99: Private Interests and the Notion of Withdrawing Personal Charges

While Article 98 neglects to acknowledge the rights of the victims, Article 99 shifts the focus to the role of the patriarchal family in supporting the commission of the crime. Significantly, in all cases presented in *Table 1*, the families of the victims opted to withdraw their personal charges against the defendant. This highlights that when *Article 99's* extenuating reason defense is coupled with *Article 98's* sudden provocation defense, it affords the defendant the least severe punishment. Even if defendants do not assert or substantiate the sudden provocation defense, they still have recourse within the law, enabling them to secure lighter sentences.

As discussed earlier, Article 99 does not specify the mitigating factors that warrant a reduced sentence. However, within the realm of honor crimes, judges frequently interpret the family's decision to drop personal charges against the defendant as grounds for a lenient penalty under *Article 99*⁹². In Jordan, between 1999 and 2014, eighty-nine percent of individuals convicted of murder in honor crime cases had their sentences diminished after the family withdrew charges. All these cases are detailed in the ensuing tables.

Similar to *Article 98*, this provision in *Article 99* is not exclusive to honor-related murders and, therefore, is applicable across various homicide cases. This applicability recognizes the need to consider private interests in criminal proceedings⁹³. Generally, *Article 99* comes into play when the family or heirs of the victim, out of mercy or to prevent potential

⁹¹ Case No. 1193/2008 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2008 (Jordan)

⁹² Reemaz Mousa, *Tahta Thariaht Alsharaf: Ma Ba'd Aljarema* [Crimes Under the Name of Honor], 7IBER (Dec. 9, 2014).

⁹³ CATHERINE WARRICK, LAW IN THE SERVICE OF LEGITIMACY: GENDER AND POLITICS IN JORDAN 74 (2009).

retaliation if the victim and defendant are not from the same family⁹⁴, decide to withdraw personal charges; this strategy favors defendants in honor crimes. Importantly, families are not obligated to drop charges. It is worth noting that the application of *Article 99* does not conclude the case; the prosecution proceeds with the state's case, but the convicted defendant receives a reduced sentence⁹⁵. For instance, in a criminal battery case, the High Criminal Court did not reduce the punishment because the family and heirs of the victim refused to drop their charges⁹⁶.

Both *Tables 2* and *3* below underscore the impact of withdrawing personal charges on sentencing outcomes. The tables categorize cases based on the initial sentences imposed on the defendants. Except for Case Nos. 1, 2, and 3, where most murder sentences began with the death penalty, they were subsequently reduced to seven and a half years or ten years of hard labor. It is crucial to note, as the following section elucidates, that the court only considers lowering the sentence if additional mitigating factors are applicable to the case. However, the decision by the family to drop charges holds significant influence.

The manslaughter cases in *Table 3* are arranged chronologically due to the implementation of mandatory sentencing rules following the 2017 amendments to the Penal Code. These amendments raised the hard labor punishment from fifteen to twenty years⁹⁷. Consequently, Case No. 3 saw a reduction to seven-and-a-half years, and cases 2-5 were reduced to ten years after the family withdrew charges. However, given the substantial reliance on judicial discretion in *Article 99*, a judge might opt to decrease the charges to more than half of the original sentence, as exemplified by cases 1-4, all occurring in the year 2009.

⁹⁴ It is a common practice among Arab tribes. *See id.*

⁹⁵ *Id.* at 89.

⁹⁶ Case No. 1738/2008 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2008 (Jordan)

⁹⁷ Law No. 16/1960, QANUN AL-UQUBAT AL-URDUNI [JORDANIAN PENAL CODE], 1487 Al-Jarida Al-Rasmiya, (1/1/1960). [Amended]. And Law No. 8/2011, QANUN AL-UQUBAT AL-URDUNI [JORDANIAN PENAL CODE], 5090 Al-Jarida Al-Rasmiya, 1758 (5/2/2011). [Amended].

Table 2: Death Penalty Cases (Article 99)

Case No.	Marital Status of the Victim	Defendant	Motivation	Year	Mode of Killing	Sentence
1. 744/2012	Married	Brother	Pregnancy out of wedlock	2010-Naur	Stabbed to death	Death penalty reduced to permanent hard labor
2. 712/2013	Married	Brother	Pregnancy out of wedlock and prostitution	2012-Jarash	Stabbed to death and drove over her body	Death penalty reduced to 20 years of hard labor
3. 762/2011	Single	Uncle	Raped	2010-unkown	Shot to death	Death penalty reduced to 15 years of hard labor
4. 1249/2013	Married	Father	Left her abusive husband	2012-Amman	Stabbed to death	Death penalty reduced to 10 years of hard labor
5. 377/2014	Married	Father	Left her abusive husband	2012-Alresifa	Shot to death	Death penalty reduced

Table 3: Manslaughter Cases (Article 99)

Case No.	Marital Status of the Victim	Defendant	Motivation	Year	Mode of Killing	Sentence
1. 894/2010	Single	Father	Pregnant out of wedlock	2009-unkown	Stabbed to death	Manslaughter 15 years, reduced to 10 years of hard labor

2. 1069/2011	Single	Father	Walked with a stranger at night	2011- Almujob	Pushed over a cliff and stoned	Manslaughter 20 years, reduced to 10 years of hard labor
3. 2523/2011	Married	Brothers	Infidelity, seen walking with a stranger	2005-Jawa	Stabbed to death	Manslaughter 15 years, reduced to 6-10 years of hard labor
4. 425/2011	Divorced	Brother	Left her abusive husband	2009-unknown	Stabbed to death	Manslaughter 15 years, reduced to 10 years of hard labor
5. 654/2013	Divorced	Brother	Divorced, ran away from the house	2012- Sahab	Smothered to death	Manslaughter 20 years, reduced to 10 years of hard labor

Examining this concept from a compassionate standpoint, allowing the victim's family to assert or withdraw a claim in criminal prosecutions might not seem inherently problematic. However, such a right proves detrimental in cases of honor-related family murders⁹⁸ where the victim and murderer are in the same family. In these cases, there is a perceived obligation within the family to protect the surviving member, which is to some extent understandable in the cultural context⁹⁹.

⁹⁸ CATHERINE WARRICK, LAW IN THE SERVICE OF LEGITIMACY: GENDER AND POLITICS IN JORDAN 74 (2009).

⁹⁹ CATHERINE WARRICK, LAW IN THE SERVICE OF LEGITIMACY: GENDER AND POLITICS IN JORDAN (2009).

What becomes challenging to comprehend from an external perspective is when a family chooses to shield a male relative who, for instance, repeatedly stabs a female family member and may pose threats to remaining female family members. The family not only drops the charges to absolve their "brave" man but also to conceal the shame associated with the victim's behaviour. Therefore, the murder erases the dishonor and re-establishes honor. This dynamic harks back to the strong correlation between a man's honor and a woman's virginity. For the family, the act of killing confirms the son's "manhood" and is deemed an honorable act, irrespective of how barbaric it may appear externally. This reflects the influence of patriarchy and male dominance on the interpretation of the norm of honor, or family *sharaf*, turning killing into a "form of terror" aimed at preserving such dominance and it also sanctions DV and murder¹⁰⁰.

The practice of involving the family—complicit in the crime—in determining the defendant's punishment reinforces the cultural notion that honor crimes and their consequences are domestic or private family matters, beyond the scope of the law. Moreover, it illustrates how Jordanian society still accepts and tolerates these crimes, and erasing the woman's name from the trial records might also stem from the unfavourable perception of her actions in the eyes of the court. Article 99 becomes a tool to regulate the crime and facilitates femicide rather than deterring it. The male relative does not hesitate to take the life of his female family member because he knows the family will drop the charges against him. Furthermore, this practice confirms that these victims remain marginalized by their families even after their demise.

In cases of honor killings, the violation of human rights is stark and multifaceted, with each instance reflecting egregious infringements on fundamental rights. The act of killing a woman for reasons such as divorce constitutes a direct assault on her right to enter and leave marriage freely. Similarly, the condemnation and violence directed at women engaging in sex

¹⁰⁰ CATHARINE A. MACKINNON, FEMINISM UNMODIFIED: DISCOURSES ON LIFE AND LAW 30 (1987).

outside of marriage infringe upon their bodily integrity and reproductive rights, emphasizing the oppressive control exerted over their personal lives.

Moreover, the horrifying act of killing a woman who has been raped intensifies the violation of her bodily integrity and underscores the failure to protect her from violence. The societal response to pregnancy out of wedlock further compounds these violations, as women are subjected to lethal consequences for exercising autonomy over their reproductive choices. Running away or even expressing the desire to do so becomes grounds for femicide, encroaching upon the basic right to freedom of movement and perpetuating an environment of fear and control.

It is crucial to emphasize that these acts of femicide, rooted in the pretext of protecting family honor, epitomize gross human rights violations. The denial of women's agency, bodily autonomy, and the right to live free from violence constitutes a systemic failure to uphold their inherent dignity and rights. Femicide, as a consequence of honor killings, unveils a disturbing pattern of gender-based violence that demands urgent attention within the framework of human rights discourse. The silence and erasure surrounding these violations perpetuate a culture of impunity, allowing such atrocities to persist and reinforcing the urgent need for comprehensive legal reforms and societal shifts to protect the rights and lives of women.

Chapter 5: Conclusion

Call for Legal Reforms

Article 6 of the Jordanian Constitution ostensibly guarantees equal treatment for both men and women before the law, fostering an expectation that the state will shield women from familial violence and dismantle gender bias within the judiciary.¹⁰¹ This constitutional duty extends to treating premeditated honor crimes as intentional murders, without allowing any defense that disproportionately favors men. However, the legal landscape in Jordan reveals a starkly different reality, marked by a discriminatory framework that systematically disadvantages victims of familial honor murders, thus indirectly violating *Article 6* and human rights.

Examining the laws in place, a troubling pattern emerges. the term "honor killing" finds no explicit mention within the law, leaving women vulnerable and the legal system operating against their interests. Amendments to *Article 340*, while ostensibly offering some rights to women, fall short of being truly gender neutral. This provision allows both women and men to use it as a defense in cases of killing due to adultery, but the conditions for women to benefit from this defense are notably restricted to actions within the marital home. The patriarchal underpinnings of *Article 340* become evident as women are deprived of the same defense in cases involving male relatives, while men who kill female relatives can avail themselves of this legal protection.

Despite advocacy and calls for change, the government has failed to address the shortcomings of *Article 340*, signalling a reluctance to revisit the discussion on this critical issue. Even if amendments were made to this article, other legal provisions like *Articles 98* and *99*, often invoked more frequently, still perpetuate discriminatory effects and facilitates

¹⁰¹ AL-DUSTUR AL-URDUNI [JORDANIAN CONSTITUTION] Art. 6.

femicide. The broader patriarchal notion of honor, deeply ingrained in societal and judicial perspectives, continues to legitimize VAW, especially within familial contexts¹⁰².

For any meaningful progress to occur, the government must acknowledge familial VAW as a pervasive problem, respecting the tireless efforts of social movements advocating for change. Reforms in other laws become meaningless if the legal system persists in upholding a "male right" to inflict violence within the family. The Jordanian government must create a secure environment for women, adopt a stringent approach, and eliminate any defenses that justify taking life under the pretext of honor¹⁰³. In a society where tribal norms and misapplications of religious laws intersect with state laws and judiciary practices, justice for women remains elusive, constituting a grave violation of human rights¹⁰⁴. The persistent prevalence of honor crimes underscores the urgent need for comprehensive legal reform and societal transformation to protect and empower women in Jordan.

In the realm of human rights discourse, it is imperative to classify honor crimes against women as a specific form of femicide, marking a critical intersection where violence within familial structures reaches its most extreme manifestation. This continuum of violence, spanning from domestic violence (DV) to honor killings, ultimately culminates in femicide – the intentional killing of women based on their gender. Femicide, as elucidated by Dolores Juliano, entails the deliberate killing of women due to their gender, regardless of the setting in which it transpires, be it in public or private domains. Juliano's definition underscores the pervasive nature of femicide, emphasizing that it is not confined to a specific context, but rather can manifest across various settings. This broad understanding recognizes femicide as a

¹⁰² Law No. 27/2017, QANUN AL-UQUBAT AL-URDUNI [JORDANIAN PENAL CODE], 5479 Al-Jarida Al-Rasmiya, 5334 (8/30/2017). Arts 98, 99, 340.

¹⁰³ Lorraine Radford, Legalizing Woman Abuse, in WOMEN, VIOLENCE AND SOCIAL CONTROL 135 (Jalna Hanmer & Mary Maynard eds., 1987).

¹⁰⁴ Women's Rights Group, *The Horror of 'Honor Killings', Even in The US*, AMNESTY INT'L: HUM. RTS. BLOG, 2012.

phenomenon rooted in gender-based violence that transcends the boundaries of public and private spheres¹⁰⁵.

The gravity of honor killings, as femicide, becomes evident when viewed through this lens, emphasizing the urgency of labelling them as such to advance women's security and uphold their fundamental right to life. The classification of honor killings as femicide is not merely a semantic distinction but a strategic move to address these crimes within the broader context of gender-based violence, transcending arbitrary distinctions between public and private spheres. This nuanced understanding is essential for comprehensive advocacy efforts aimed at securing women's rights and fostering societal change.

On the other hand, Marceline Naudi provides a more focused perspective by defining femicide as the act of killing women and girls within the framework of so-called 'honor.' Naudi's definition zooms in on a specific context within femicide, illuminating the cultural and societal dimensions that contribute to gender-based killings. By pinpointing the notion of 'honor,' this definition draws attention to the entrenched cultural practices and social expectations that, tragically, lead to the loss of women's lives. It underscores the need to comprehend femicide not only as murder, but the result of complex interplay of cultural forces that perpetuate violence against women in the name of honor¹⁰⁶.

The escalation from DV to femicide often follows a pattern of increasing over time. Initially, there may be psychological and emotional abuse, progressing to physical violence, and ultimately reaching the tragic endpoint of femicide. Understanding this progression is crucial for identifying risk factors and implementing preventive measures.

In many cases, femicide is perpetrated by intimate partners or close family members. The escalation to femicide may be driven by factors such as obsessive control, possessiveness,

¹⁰⁵ Artiles L. Women in the Middle: Cuba's Sandwich Generation. MEDICC Rev. 2008

¹⁰⁶ WEIL, SHALVA, and MARCELINE NAUDI, eds. *Femicide across Europe: Theory, Research and Prevention*. Bristol University Press, 2018.

or a perceived loss of power and dominance. The dynamics of familial relationships can create a breeding ground for escalating violence, ultimately resulting in the loss of a woman's life¹⁰⁷. Escalating violence leading to femicide is also associated with systemic failures in intervention and support. Inadequate responses from law enforcement, judiciary, and social services can contribute to the continuation and escalation of violence. Identifying and addressing these gaps is crucial for preventing the progression from DV to femicide.

Femicide is often rooted in deep-seated gender inequalities within societies. Societal norms that perpetuate the devaluation of women contribute to an environment where VAW and girls is tolerated or overlooked, ultimately leading to femicide. Addressing gender inequality is fundamental to preventing femicide on a global scale.

Cultural factors, including norms and attitudes toward women, play a significant role in femicide. Honor-based violence, as discussed earlier, is one manifestation of cultural norms that contribute to femicide. Challenging harmful cultural norms and fostering cultural change are vital components of preventing femicide¹⁰⁸.

The effectiveness of legal and judicial systems in responding to DV and femicide varies globally. Weak legal frameworks, lenient sentences such as the case of Jordan, or a lack of enforcement contribute to a climate where perpetrators may act with impunity. Strengthening legal mechanisms and ensuring their consistent application is essential in the fight against femicide.

In Jordan, as in many other regions, cultural factors deeply influence attitudes towards women, creating an environment where femicide can thrive. Honor-based violence, a manifestation of these cultural norms, has been a persistent issue. Challenging these harmful norms is particularly crucial in a country like Jordan, where conservative values may be deeply

¹⁰⁷ Reddy, Rupa, Domestic Violence or Cultural Tradition? Approaches to Honour Killing as Species and Subspecies in English Legal Practice, in HONOUR KILLING AND VIOLENCE: THEORY, POLICY & PRACTICE (Aisha K. Gill et al. eds., 2014).

¹⁰⁸ *Id.*

entrenched. While legal and judicial systems are in place, their effectiveness in responding to DV and femicide has faced challenges. The leniency in sentences within the Jordanian legal framework, for example, may inadvertently contribute to a climate of impunity for perpetrators¹⁰⁹.

Understanding the connection between DV, honor killings and femicide necessitates a holistic approach that considers the dynamics within familial structures, systemic responses, and the broader societal and cultural context. Preventing femicide requires concerted efforts to address root causes, implement effective interventions, and foster cultural and systemic changes on a global scale.

This study aspires to contribute to this broader narrative, urging for a new culture that reframes honor positively without the need for bloodshed. From regulations to recent legal reforms, this research serves as a catalyst for envisioning a society where women can live with honor, free from the shackles of violence, and where the violation of women's rights is universally acknowledged and condemned. The journey towards dismantling honor-based violence in Jordan must be approached as a human rights imperative, demanding concerted efforts to build a society that recognizes, respects, and upholds the dignity and rights of all its members.

¹⁰⁹ JABIRI, AFAF, GENDERED POLITICS AND LAW IN JORDAN: GUARDIANSHIP OVER WOMEN (2016).

Bibliography

AL-DUSTUR AL-URDUNI [JORDANIAN CONSTITUTION].

Law No. 16/1960, *QANUN AL-UQUBAT AL-URDUNI* [JORDANIAN PENAL CODE], 1487 Al-Jarida Al-Rasmiya, (1/1/1960).

Law No. 27/2017 *QANUN AL-UQUBAT AL-URDUNI* [JORDANIAN PENAL CODE], 5479 Al-Jarida Al-Rasmiya, 5334 (8/30/2017).

Ministry of Social Development (2008), Jordanian Domestic Violence Protection Law No. 6 of 2008.

Case No. 80/2000 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2000 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-23.pdf>.

Case No. 1166/2000 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2000 (Jordan), <http://7iber.com/wp-content/uploads/pdfs/ALQistas-21.pdf>.

Case No. 1098/2001 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2001 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-19.pdf>

Case No. 398/2004, Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2004 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-23.pdf>.

Case No. 1351/2004 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2004 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-15.pdf>.

Case No. 132/2005 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2005 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-14.pdf>.

Case No. 1352/2013 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2013 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-27.pdf>.

Case No. 744/2012 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2012 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-33.pdf>.

Case No. 712/2013 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2013 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-30.pdf>.

Case No. 762/2011 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2011 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-37.pdf>.

Case No. 1249/2013 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2013 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-26.pdf>

Case No. 377/2014 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2014 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-25.pdf>.

Case No. 894/2010 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2010 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-43.pdf>.

Case No. 1069/2011 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2011 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-36.pdf>.

Case No. 2523/2011 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2011 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-34.pdf>.

Case No. 425/2011 Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2011 (Jordan), <http://7iber.com/wp-content/uploads/pdfs/ALQistas-4.pdf>.

Case No. 654/2013, Mahakamat Al-Tamiyyz Al-Urdunia [Court of Cassation], 2013 (Jordan), <http://www.7iber.com/wp-content/uploads/pdfs/ALQistas-31.pdf>.

Comm. on the Elimination of Discrimination Against Women, Gen. Recommendation No. 35 on Gender-Based Violence Against Women, Updating General Recommendation No. 19, U.N. Doc. CEDAW/C/GC/35, (July. 14, 2017).

United Nations General Assembly. The Universal Declaration of Human Rights (UDHR). New York: United Nations General Assembly, 1948.

United Nations Development Fund for Women Amman, Jordan, The Status of Jordanian Women Report, WHO Report on Violence and Health (Geneva: World Health Organization, 2002).

The UNODC (United Nations Office on Drugs and Crime) 2019 report.

HUMAN RIGHTS WATCH, HONORING THE KILLERS: JUSTICE DENIED FOR HONOR CRIMES IN JORDAN (2004), <https://www.hrw.org/report/2004/04/19/honoring-killers/justice-denied-honor-crimes-jordan>.

HUSSEINI, RANA, MURDER IN THE NAME OF HONOR: *THE TRUE STORY OF ONE WOMAN'S HEROIC FIGHT AGAINST AN UNBELIEVABLE CRIME* (2009).

JABIRI, AFAF, *GENDERED POLITICS AND LAW IN JORDAN: GUARDIANSHIP OVER WOMEN* (2016).

KHAN, TAHIRA, *BEYOND HONOR: A HISTORICAL MATERIALIST EXPLANATION OF HONOR*

MACKINNON, CATHARINE A., *FEMINISM UNMODIFIED: DISCOURSES ON LIFE AND LAW* (1987).

MACKINNON, CATHARINE, *TOWARD A FEMINIST THEORY OF THE STATE* (1989).

MERNISSI, FATIMA, *BEYOND THE VEIL: MALE-FEMALE DYNAMICS IN MODERN MUSLIM SOCIETY*

OTHMAN, MOHAMMED RA'FAT, *AL-NITHAM AL-QADAI FI AL-FIQH AL-ISLAMI [THE JUDICIAL SYSTEM UNDER THE ISLAMIC LAW-FIQH]* (1994).

Abu-Odeh, Lama, Crimes of Honor and the construction of Gender in Arab Societies, in *FEMINISM AND ISLAM: LEGAL LITERARY PERSPECTIVES* (Mai Yamani, ed., 1996).

Abu-Odeh, Lama, Honor: Feminist Approaches, in *ENCYCLOPEDIA OF WOMEN AND ISLAMIC CULTURES* (Suad Joseph ed., 2009).

Davis, John, Family and State in the Mediterranean, in *HONOR AND SHAME AND THE UNITY OF THE MEDITERRANEAN* (David D. Gilmore ed., 1987).

Gill, Aisha K., Introduction: Honour and Honour based violence: *Challenging Common Assumptions*, in *HONOUR KILLING AND VIOLENCE: THEORY, POLICY & PRACTICE* (Aisha K. Gill et al. eds., 2014).

Radford, Jill & Russell, Diana E. H., Femicide and Travesties of Justice: Introduction, in *FEMICIDE: THE POLITICS OF WOMEN KILLING* (Jill Radford & Diana E. H. Russell eds., 1992).

Sonbol, Amira El-Azhary, Muslim Women and Legal Reform: *The Case of Jordan and Women's Work*, in *ISLAMIC LAW AND THE CHALLENGES OF MODERNITY* (Yvonne Yazbeck Haddad & Barbara Freyer Stowasser eds., 2004).

Welchman, Lynn & Hossain, Sara, Introduction: Honour, Rights and Wrongs, in *HONOUR: CRIMES, PARADIGMS, AND VIOLENCE AGAINST WOMEN* (Lynn Welchman & Sara Hossain eds., 2007).

Abu-Odeh, Lama Abu Odeh, Honor Killings and the Construction of Gender in Arab Societies, 58 AM. J. COMP. L. 911(2010).

SceneArabia "Ahlam's Screams: Harrowing "Honour Killing" in Jordan Sparks Outrage and Demands for Justice" BAHIRA AMIN. 2020.

Hiba Balaha "until when? honor killings and other domestic violence against women in Jordan" POMED ORG, 2021.

Human Rights Watch, "How to End 'Honor' Killings in Jordan" Rothna Begum. 2017.

HONOUR-BASED VIOLENCE AWARENESS NETWORK <http://hbv-awareness.com/statistics-data/>

Farah Maraqa, Jordan Activists Profile 'Honor' Killing Victims, WOMEN'S ENEWS 2014.

MUHAMMED SAEED NAMUR, *SHARH QANUN AL-OQUBAT: AL-QISM ALKHAS, ALJARAIM ALWAQIA ALA ALASHKHAS [THE EXPLANATION OF JORDANIAN PENAL CODE: FIRST SECTION, OFFENCES AGAINST THE HUMAN BODY]* 96-97 (2015).

EL SAADAWI, NAWAL, *THE HIDDEN FACE OF EVE: WOMEN IN THE ARAB WORLD* (SHERIF HETATA TRANS. & ED., 2015)

William Twining, Normative and Legal Pluralism: *A Global Perspective*, 20 DUKE J. COMP. & INT'L L. (2010).