

كسر القوالب Breaking the mold

#Breaking_The_Mold Arab Civil Society Actors and their Quest to Influence Policy-Making

Case Study #14

Country Jordan

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PRESSURING PARLIAMENTARY CANDIDATES IN AMMAN AND KARAK TO SUPPORT THE RIGHTS OF PERSONS WITH DISABILITIES | Karim Merhej |

BACKGROUND AND TIMELINE

Jordan enjoys a good legal record when it comes to the rights of Persons with Disabilities (PWDs): In 1989, the Provisional Act for the Welfare of Disabled People was passed, followed by the Act for the Welfare of Disabled People in 1993. In 2005, for its efforts in recognizing and promoting the rights of PWDs, Jordan was awarded the Franklin Delano Roosevelt International Disability Award (Thompson, 2018). Then, in 2007, the Law on the Rights of PWDs was adopted. However, despite its promising overtones, the law was imperfect and in need of modifications as it was drafted and signed prior to Jordan's ratification of the Convention on the Rights of PWDs (CRPD), and it adopted a 'medical perspective', seeing PWDs as dependent individuals in need of permanent assistance, as opposed to contributing members in society equal to their non-disabled fellow citizens¹.

While officially 11 percent of the Jordanian population suffers "from any degree of functional difficulties (simple to the absolute, inability to perform)", as per the most up-to-date census carried out by the Department of Statistics in 2015, it is likely that the number is higher, as the census did not count children under five years of age² (Department of Statistics, 2015, p.38). Despite representing such a significant segment of society, PWDs still face major obstacles toward their full integration in society as they are largely marginalized (Dupire, 2018). At the educational level, the infrastructure of the majority of public schools is poorly habilitated to accommodate PWDs, and teachers are not adequately trained to integrate students with disabilities into their classes (King Hussein Information and Research Center, 2016). This has resulted in very low educational levels for PWDs, with around 35.3 percent

of PWDs being illiterate (Thompson, 2018). At the employment level, prevailing societal attitudes, which tend to stigmatize PWDs as incapable of carrying out any kind of work regardless of their level of education and skills, and the poorly-habilitated streets and public transportation system make it very difficult for PWDs to have access to the labor market (Salameh, 2017). In 2015, employment of PWDs in both the private and public sectors stood at only 1 percent (Better Work, 2016).

In light of this grim picture, and following the publication of "the first civil society shadow report on the Jordanian State's commitment to implementing" the CRPD in 2012 (Al Azzeh, 2012), the Higher Council for the Rights of PWDs (HCD)³, under the directives of its then-president Prince Raad bin Zeid, began drafting a new law on the rights of PWDs. The drafting process involved PWDs themselves, their families, governmental entities, representatives of the private sector, legal experts etc⁴. The drafting process culminated in 2016 after around 10 different drafts over four years, with the final draft version being in-line with the CRPD and including "many amendments favoring the rights of PWDs" which bridged the gaps and overcame the weaknesses existing in the previous law (Information and Research Center – King Hussein Foundation et al., 2017, p.5). The HCD sent it to the Prime Ministry in 2016 so that it would then be referred to the parliament. Concomitantly, new parliamentary elections were to take place in that year. This prompted the HCD to adopt a strategy to sensitize parliamentary candidates about the new law on the rights of PWDs, which consisted of encouraging activists with disabilities to attend electoral rallies held by candidates, make themselves visible and heard, and demand that the candidates take a firm

¹Interview held with Dr. Muhanad Al Azzeh, secretary general of the Higher Council for the Rights of Persons with Disabilities (HCD), by Al Ordon Al Yoom TV on May 7, 2017. Retrieved from <https://bit.ly/2FKghoJ>

²Interview held with Dr. Muhanad Al Azzeh, secretary general of the HCD, and Asia Yaghi, director of the 'I am Human Society for the Rights of PWDs,' by Roya TV on May 20, 2017. Retrieved from <https://bit.ly/2CNndj6>

³Prior to the adoption of the 2017 Law on the Rights of Persons with Disabilities, the HCD was named the «Higher Council for the Affairs of PWDs», as per Article 49 of the 2017 Law. Retrieved from: <https://bit.ly/2YaGK6a>

⁴Interview with Dr. Muhanad Al Azzeh, secretary general of the HCD and senator in the 26th Jordanian Senate (2013-2016), held on March 20, 2019.



stance in favor of the new law. Finding a big enough number of activists with disabilities who would promote a rights-based approach to disability instead of a medical or charity-anchored model was a challenging task for the HCD as it was of crucial importance to emphasize the question of human rights⁵. The efforts of such activists with disabilities should not go unnoticed, as they did manage to raise awareness and sensitize candidates-turned-parliamentarians on the new law, and their efforts in taking advantage of the election season to garner support bring to mind the importance of timing in civil society activism.

CIVIL SOCIETY ACTORS' ROLE AND INVOLVEMENT

The present study focuses on two instances of activists with disabilities working under the auspices of HCD who reached out to parliamentary candidates in 2016 to demand their vote in favor of the new PWD law should they get elected:

1. Hadeel Abu Soufeh: A member of the HCD's Board of Trustees, Abu Soufeh is a consultant on PWD rights whose career as an activist with disability and defender of PWD rights began during her time as a student at the University of Jordan. Facing extensive physical and administrative obstacles at the university, Abu Soufeh called for the implementation of infrastructural and administrative changes and reforms to accommodate students with disabilities; her demands were eventually met⁶. During the 2016 parliamentary elections, Abu Soufeh attended an electoral rally by Islamic Action Front candidate Dima Tahboub, who was running for a seat in the Third District of Amman. Given that Tahboub's electoral program made no references to PWDs, Abu Soufeh boldly asked, in front of the whole audience, why this was the case, upon which the candidate apologized and promised to revise her electoral program. True to her word, Tahboub later presented Abu Soufeh with a draft of her revised program to obtain the latter's feedback. A close relationship was formed between the two, with Tahboub becoming a fervent supporter of PWDs⁷.

2. The PWD activists in Karak: This group of activists with disabilities received communications and confidence-building training from the International Republican Institute (IRI)'s PWD Empowerment Program, which equipped them to fight for the removal of stigma or discrimination against disabilities and to advocate for their rights⁸. Empowered by the training they had received, the Karak PWD activists invited all parliamentary candidates in the governorate to attend a presentation explaining the reality and the struggles of PWDs in Jordan, showcasing why the new PWD law is necessary. This presentation fostered a good rapport between the activists and the candidates who took a pledge to support the passing of the new PWD law should they be elected to parliament (Cunningham, 2017). Indeed, upon their election, they remained true to their word and voted in favor of passing the new law⁹.

STRATEGIES AND TACTICS

Different advocacy and lobbying strategies and tactics were used by the different stakeholders:

1. Seizing the moment: In Abu Soufeh's case, her main strategy was to make herself visible by directly confronting and challenging the candidate at a public election rally. The candidate was placed in a position whereby she had no choice but to appear in favor of supporting PWD rights. Noticing the candidate's genuine will to support PWDs, Abu Soufeh established a close connection with her which allowed her to (1) address large audiences at election rallies, and (2) provide the candidate with opinions and knowledge on PWD-related topics so that the candidate can build a robust case on the rights of PWDs. Such a strategy led to a 'win-win' situation: On the one hand, Abu Soufeh was able to secure a platform to voice the concerns of PWDs and raise awareness on PWD rights, through her alliance with a parliamentary candidate who would have an informed view of PWD-related issues and would vote in favor of the new PWD law. On the other hand, Tahboub's image as a caring candidate in favor of marginalized groups such as PWDs, served to reinforce her popularity and increase her chances of electoral success.

2. Splitting: The Karak PWD activists divided themselves into smaller groups, each operating in a particular region of the governorate and reaching out to the respective regional candidates. Given the tribal nature of society in the Karak governorate, this strategy was facilitated by the existing kinship ties between the candidates and the activists. The Karak group intelligently marketed the presentation on PWDs and the new PWD law as a "public relations" opportunity to the candidates, where several media outlets were invited to cover the events. Thus the candidates saw this as an opportunity to gain more visibility and to foster positive depictions of themselves, showcasing themselves as supporters of marginalized groups such as PWDs.

⁵Interview with Dr. Muhannad Al Azzeh held on March 20, 2019.

⁶Interview with Hadeel Abu Soufeh, PWD activist and Member of the HCD's Board of Trustees, held on October 4, 2018.

⁷If one were to search «ذوي الاعاقة» on Tahboub's official Twitter account via Twitter's Advanced Search option, several instances of Tahboub mentioning PWDs right-to-work appear between November 2018 and January 2019. The tweets can be accessed here: <https://bit.ly/2U3MgbC>

⁸Interview with Mahmoud Said, Senior Political Engagement Manager, and Omar El-Rayyes, Political Engagement Associate at the IRI, held on November 7, 2018.

⁹Interview with Tuqa Al Majali, PWD activist, participant in the IRI's PWD Empowerment Program and PhD Candidate in Law at Mu'tah University, held on October 10, 2018.

INFLUENCING FACTORS AND TRANSFORMATIVE MOMENTS

What these two cases highlight is that the timing of activism can be crucial in promoting a cause among public officials. In both cases, and in line with HCD's proactive initiative to have the new PWD law ratified by parliament, activists with disabilities took advantage of the election season whereby candidates (and eventually future parliamentarians) were eager for marketing a positive image and ensuring good publicity. Both strategies contributed in creating a positive impact on the struggle for the rights of PWDs: In Amman, Tahboub began advocating for the rights of PWDs in her campaign, and in the Karak governorate, the candidates took a pledge to pass the new PWD law should they be elected.

In each of the two cases, different transformative moments led to the success of the lobbying efforts of activists with disabilities:

In the first case (Tahboub's electoral campaign in Amman), the insight elicited by Abu Soufeh's comments regarding the absence of any mention of PWDs in Tahboub's electoral program served as a transformative moment in the candidate's perception of PWDs. From that moment on, Tahboub, first as a candidate and then as a parliamentarian, firmly sided with PWDs.

In the second case (the Karak activist group), the presentation by the PWDs themselves highlighting the struggles that PWDs face, served as an 'eye opener' for the Karak parliamentary candidates, as explained by Tuqa Al Majali, one of the Karak PWD activists. Seeing PWDs right in front of them made them realize that PWDs are not incapable individuals in need of constant support, but potentially bright and contributing members of society. This was a transformative moment that triggered their assertion of the importance of the new PWD law¹⁰.

¹⁰Interview with Tuqa Al Majali held on October 10, 2018.



POLICY OUTCOME AND CONCLUSION

The two cases presented in this study shed light on how small-scale direct activism can pressure parliamentary candidates and future-MPs to support a cause. While it is true that these two cases of activism did not by themselves lead to the passing of the new PWD law, yet their efforts at sensitizing candidates and potential future parliamentarians are not to be undermined, for the HCD had faced significant resistance from certain MPs during the parliamentary debates on the law, when attempting to convince them of the necessity to adopt the new law, especially in regard to the law's «de-institutionalization» approach to PWDs, and finding potential allies in parliament greatly mattered¹¹.

Elections can be a crucial moment for civil society activists to voice their concerns and gain allies in parliament. The two 'win-win scenarios' for both activists and to-be parliamentarians highlighted in this case study are good practices for civil society activists who are eager to bring their causes to the limelight, and potentially see a concrete implementation of their demands. In 2017, the new Law on the Rights of PWDs was eventually endorsed by the parliament which Human Rights Watch praised for "underscor[ing] the autonomy and inherent dignity of persons with disabilities to be treated like anyone else, for 'expand[ing] the meaning of disability' and for providing for 'an expansive definition of violence against PWDs'" (Human Rights Watch, 2017).

The road is still long in Jordan for full equality and de-marginalization of PWDs. Anecdotal evidence seems to showcase that many PWDs are still unaware of their rights, such as their entitlement to the Special Disability ID which simplifies administrative procedures¹². Although the disability organizations in Jordan are still scattered, with some of them still operating under a medical approach or even a charity-based model, the passing of the new PWD law in 2017 has created a positive environment which disability rights activists can take advantage of. There is a cause for optimism for the future, especially given the fact that the law is very specific when it comes to highlighting the obligations, steps and actions that governmental entities need to take in the near future to ensure that PWDs can live in a dignified manner and become active contributing members of society¹³.

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¹¹Interview with Dr. Muhannad Al Azzeh held on March 20, 2019.

¹²Interview with Mahmoud Said and Omar El-Rayyes held on July 11, 2018.

¹³For example, in order to ensure inclusive education for PWDs, Article 18 of the Law stipulates that the Ministry of Education must execute educational policies and strategies to ensure that PWDs can fully enjoy their right to education and that it must «draw up a comprehensive national plan for enrolling PWDs into educational institutions [...] provided that work on the plan's implementation shall commence in no later than one year after the Law goes into effect, and that implementation of [the plan] will be completed in no later than ten years.» Retrieved from <https://bit.ly/2YaGK6a>

BREAKING THE MOLD PROJECT

In mid- 2018, the "Civil Society Actors and Policymaking in the Arab World" program at IFI, with the support of Open Society Foundations, launched the second round of its extended research project "Arab Civil Society Actors and their Quest to Influence Policy-Making". This project mapped and analyzed the attempts of Arab civil society, in all its orientations, structures, and differences, to influence public policy across a variety of domains. This research produced 92 case studies outlining the role of civil society in impacting political, social, economic, gender, educational, health-related, and environmental policies in ten Arab countries: Lebanon, Syria, Palestine, Jordan, Egypt, Morocco, Tunisia, Yemen, and the Arab Gulf.

Over two dozen researchers and research groups from the above countries participated in this project, which was conducted over a year and a half. The results were reviewed by an advisory committee for methodology to ensure alignment with the project's goals, and were presented by the researchers in various themed sessions over the course of the two days.

THE CIVIL SOCIETY ACTORS AND POLICY-MAKING PROGRAM

at the Issam Fares Institute for Public Policy and International Affairs at AUB, examines the role that civil society actors play in shaping and making policy. Specifically, the program focuses on the following aspects: how civil society actors organize themselves into advocacy coalitions; how policy networks are formed to influence policy processes and outcomes; and how policy research institutes contribute their research into policy. The program also explores the media's expanding role, which some claim has catalyzed the Uprisings throughout the region.

THE ISSAM FARES INSTITUTE FOR PUBLIC POLICY AND INTERNATIONAL AFFAIRS AT THE AMERICAN UNIVERSITY OF BEIRUT

The Issam Fares Institute for Public Policy and International Affairs (IFI) at the American University of Beirut (AUB) is an independent, research-based, policy oriented institute. It aims to initiate and develop policy-relevant research in and about the Arab region. The Institute is committed to expanding and deepening knowledge production and to creating a space for the interdisciplinary exchange of ideas among researchers, civil society actors, and policy makers.

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