

Fact Sheet

Advancing Social Justice through Constitutional Reforms in Jordan

By The WANA Institute

This factsheet highlights the constitutional amendments made in 2011 and 2022, aimed at advancing the rights of women, persons with disabilities, the elderly, and youth. It also outlines how these constitutional amendments are reflected in changes in other legal frameworks.

The Jordanian Constitution

The Hashemite Kingdom of Jordan's Constitution was promulgated on January 8, 1952, during the reign of His Majesty King Talal bin Abdullah. It has been amended 14 times since then.¹

The Jordanian Constitution consists of nine Chapters and 131 constitutional articles. The Constitution stipulates the separation of powers between the executive, legislative, and judicial branches and clarifies the rights and freedoms of Jordanian citizens. The nine Chapters describe 1) the state and the system of government, 2) the rights and duties of Jordanian men and women² 3) the branches and their general provisions 4) the executive branch 5) the legislative branch – the national assembly, 6) the judicial branch 7)

financial matters, 8) general provisions, and 9) enforcement and repeal of laws.³

Jordan's Constitutional Amendments

Between 2011 and 2022, the Jordanian Constitution was amended four times, in 2011,⁴ 2014,⁵ 2016,⁶ and 2022.⁷ These amendments were part of the political reforms that citizens were promised following the Arab Uprising.⁸

Constitutional amendments approved in 2011 and 2022 strengthened and safeguarded the rights of key populations in Jordan, including women, persons with disabilities, the elderly, and youth. These amendments enshrined the rights of these populations in the highest legal framework in Jordan, ensuring their protection under the law.

The following section presents the amendments concerning these rights by comparing the original version of the Constitution to the changes introduced. Following this, Jordanian efforts to move from policy to practice regarding these amendments are discussed.

¹ Jordan Times. "Senate Passes 2022 Draft Constitutional Amendments." *The Jordan Times*. January 6, 2022.

<https://www.jordantimes.com/news/local/senate-passes-2022-draft-constitutional-amendments>.

² This title was amended as to the "Rights and Duties of Jordanian Men and Women" as it appears in 2022.

³ Jordanian constitution for the year 1952 with its all amendments.

https://representatives.jo/EBV4.0/Root_Storage/AR/EB_Info_Page/الدستور_2022.pdf.

⁴ Constitute, Jordan 1952 (rev. 2011), https://www.constituteproject.org/constitution/Jordan_2011

⁵ Constitute, Jordan 1952 (rev. 2014),

https://www.constituteproject.org/constitution/Jordan_2014

⁶ Constitution of the Hashemite Kingdom of Jordan, - Jordan, May 18, 2019.

<https://www.fao.org/faolex/results/details/fr/c/LEX-FAOC128635/>.

⁷ دستور المملكة الأردنية الهاشمية 2022,

https://mof.gov.jo/ebv4.0/root_storage/en/eb_list_page/aldastor2022.pdf

⁸ Shteiwi, Musa, Jordan and the "Arab Spring", Al-Ghad News, October 30, 2018,

<https://alghad.com/الأردن-والربيع-العربي/>.

2011 Jordanian Constitutional Amendments

Article	1952 Constitution ⁹	2011 Constitutional Amendments ¹⁰
Article 6	<p>1. Jordanians shall be equal before the law. There shall be no discrimination between them as regards their rights and duties on grounds of race, language or religion.</p> <p>2. The Government shall ensure work and education within the limits of its possibilities, and it shall ensure a state of tranquillity and equal opportunities to all Jordanians.</p>	<p>Article 6 of the Constitution is amended as follows:</p> <p>Paragraph No. (1) remains the same, paragraph No. (2) is shifted to become No. (3) and paragraphs No. (2), (4) and (5) are added:</p> <p>2. The defence of the country, its territory, the unity of its people and the preservation of social peace are a sacred duty of every Jordanian.</p> <p>4. The family is the basis of society the core of which shall be religion, morals and patriotism; the law shall preserve its legitimate entity and strengthen its ties and values.</p> <p>5. The law shall protect motherhood, childhood and the old-aged; and shall avail care for the youngsters and those with disabilities and protect them against abuse and exploitation.</p>
Article 7	Personal freedom shall be guaranteed.	<p>Article 7 of the Constitution is amended by adding an additional paragraph No. (2) providing as follows:</p> <p>2. Every infringement on the rights and public freedoms or the inviolability of the private life of Jordanians is a crime punishable by law.</p>
Article 8	No person may be detained or imprisoned except in accordance with the provisions of the law.	<p>Article 8 of the Constitution is repealed and replaced as follows:</p> <p>1. No person may be seized, detained, imprisoned, or the freedom thereof restricted except in accordance with the provisions of the law.</p> <p>2. Every person seized, detained, imprisoned or the freedom thereof restricted should be treated in a manner that preserves human dignity; may not be tortured, in any manner, bodily or morally harmed; and may not be detained in other than the places permitted by laws; and every statement uttered by any person under any torture, harm or threat shall not be regarded.</p>
Article 9	<p>1. No Jordanian may be deported from the territory of the Kingdom.</p> <p>2. No Jordanian may be prevented from residing at any place, or be compelled to reside in any specified place, except in the circumstances prescribed by law.</p>	<p>Article 9 of the Constitution, paragraph No. (2) of the Constitution is amended as follows:</p> <p>2. No Jordanian may be prohibited from residing at any place; be prevented from movement; or be compelled to reside in a specified place, except in the circumstances prescribed by law.</p>

⁹ Refworld, Jordan: Constitution of the Hashemite Kingdom of Jordan, <https://www.refworld.org/legal/legislation/natlegbod/1952/en/14923> Pursuant to the amendments published in issue No. 3201 dated 9/1/1984 of the Official Gazette.

¹⁰ Constitute, Jordan 1952 (rev. 2011), https://www.constituteproject.org/constitution/Jordan_2011#s32 Pursuant to the amendments published in issue 5117 dated 10/1/2011 of the Official Gazette.

Article	1952 Constitution ⁹	2011 Constitutional Amendments ¹⁰
Article 20	Elementary education shall be compulsory for Jordanians and free of charge in Government schools.	Article 20 of the Constitution is amended by repealing the phrase “elementary education” and replacing it with “basic education.”

2022 Jordanian Constitutional Amendments

Article	2016 Constitution ¹¹	2022 Constitutional Amendments ¹²
Chapter Two Title	Rights and Duties of Jordanians	In the title of Chapter Two of the Constitution, the phrase “Jordanian Women” is added to address Jordanian citizens in both the feminine and masculine form. The new title reads as follows: “Rights and Duties of Jordanian Men and Women.”
Article 6	<p>1. Jordanians shall be equal before the law with no discrimination between them in rights and duties even if they differ in race, language or religion.</p> <p>2. The defence of the country, its territory, the unity of its people and the preservation of social peace are sacred duty of every Jordanian.</p> <p>3. The State shall ensure work and education within the limits of its possibilities, and shall ensure tranquility and equal opportunities to all Jordanians.</p> <p>4. The family is the basis of society the core of which shall be religion, morals and patriotism; the law shall preserve its legitimate entity and strengthen its ties and values.</p> <p>5. The law shall protect motherhood, childhood and the old-aged; and shall avail care for the youngsters and those with disabilities and protect them against abuse and exploitation.</p>	<p>Article 6 of the Constitution is amended by repealing paragraph No. (5) and replacing it with the following text:</p> <p>5. The law safeguards the rights of persons with disabilities and enhances their participation and inclusion in various aspects of life; and shall protect motherhood, childhood and the old-aged; and shall avail care for the youngsters and prohibit abuse and exploitation.</p> <p>By adding paragraphs No. (6) and No. (7) stipulating as follows:</p> <p>6. The State shall ensure the empowerment of women and support their active role in building society in a manner that guarantees equal opportunities on the basis of justice and equity, and protects them from all forms of violence and discrimination.</p> <p>7. The State shall guarantee the promotion of the values of citizenship, tolerance, and the rule of law and, within the limits of its capabilities, the empowerment of youth to contribute to political, economic, social, and cultural life, develop their capabilities, and support their creativity and innovations.</p>

¹¹ Constitute, Jordan's Constitution of 1952 with Amendments through 2016, <https://faolex.fao.org/docs/pdf/jor128635e.pdf>

¹² دستور المملكة الأردنية الهاشمية , trans. By West Asia-North Africa Institute, 2022, https://mof.gov.jo/ebv4.0/root_storage/en/eb_list_page/aldastor2022.pdf.

From Policy to Practice

The constitutional amendments have established a foundation for prioritising, promoting and protecting human rights, specifically the rights of the identified key populations, including women, persons with disabilities, youth, and the elderly.

These constitutional amendments are reflected in changes in other legal frameworks. For instance, following the addition of paragraph (2) to Article (8) of the Constitution, which prohibits all forms and methods of torture, Article (208) in the Jordanian Penal Code was amended by expanding the scope of torture to encompass both physical and psychological forms. This reinforced and codified the principle of the inadmissibility of torture in all its forms as stipulated in the Constitution.¹³

Additionally, Jordan is implementing various national plans and strategies that embody and prioritise the social justice principles adopted in the constitutional amendments, including the following:

- Comprehensive National Plan for Human Rights (2016-2025),¹⁴
- National Strategy for Human Resources Development (2016–2025),¹⁵
- National Policy to Guarantee the Rights of Persons with Disabilities (2020-2030),¹⁶
- The Justice Sector Strategy (2022-2026),¹⁷

¹³ موسى شتيوي وآخرون، الإصلاح الدستوري في الأردن (الجامعة الأردنية: 2016)، صفحة 94 <https://jcss.org/wp-content/uploads/2021/12/%D8%A7%D9%84%D8%AA%D8%B9%D8%AF%D9%8A%D9%84%D8%A7%D8%AA-%D8%A7%D9%84%D8%AF%D8%B3%D8%AA%D9%88%D8%B1%D9%8A%D8%A9.pdf>

¹⁴ Government of Jordan, Comprehensive National Plan for Human Rights For the Years 2016-2025, [https://moi.gov.jo/EBV4.0/Root_Storage/EN/EB-Info_Page/Comprehensive-National-Plan-for-Human-Rights_\(1\)_EN.pdf](https://moi.gov.jo/EBV4.0/Root_Storage/EN/EB-Info_Page/Comprehensive-National-Plan-for-Human-Rights_(1)_EN.pdf)

¹⁵ Government of Jordan, National Strategy for Human Resources Development,

- A Women’s Empowerment Strategy was launched as part of the Economic Modernization Vision (2022–2033),
- National Strategy for Women (2020-2025 and Action Plan (2023-2025),¹⁸
- The Second Jordanian Action Plan for the Implementation of the UNSCR 1325 on Women, Peace and Security 2022-2025.

These national strategies and plans contribute towards promoting the rights stipulated in the constitutional amendments and integrating them into the fabric of social norms.

The Jordanian constitutional amendments, along with the resulting legal changes and the implementation of strategies and action plans, represent significant progress. They strengthen citizens’ rights and increase awareness, paving the way for further social and legislative advancements.

<https://rhc.jo/en/hm-king-abdullah-ii/national-strategy-human-resources-development>

¹⁶ Human Rights Council, “National report submitted in accordance with Human Rights Council resolutions 5/1 and 16/21 Jordan”,

<https://documents.un.org/doc/undoc/gen/g23/235/93/pdf/g2323593.pdf>

¹⁷ Government of Jordan, Justice Sector Strategy, <https://shorturl.at/XWbhx>

¹⁸ Jordan National Commission for Women, Action Plan for the National Strategy for Women (2023-2025), https://women.jo/sites/default/files/2023-06/National%20Strategy%20for%20Women%20Action%20Plan%202023-2025_0.pdf