

## “Marry Your Rapist” Law Gets Repealed in Jordan



**Summary:** Jordan has finalized the removal of a statute on a law that allowed rapists to avoid prosecution if they married their victim for at least five years.

Rapists were able to avoid prosecution if they married their victim and stayed married for at least three years in Jordan and eight other Arab countries. This loophole has been repealed by the country’s Parliament. Jordan’s official news agency announced the change to the controversial clause.

Jordan’s cabinet started the process in April of throwing out Article 308 when they received an endorsement by King Abdullah II. The cabinet was just waiting for ratification by Parliament which finally came today. Parliament could have repealed or amending the law, deciding to eliminate the law all together.

The details of the vote and session have not been disclosed although one member of the body told CNN that the session was “chaotic.” Jordanian MP Dima Tahboub said, “The annulment is in the greatest interest of the Jordanian people and is in harmony with the Islamic Sharia.” Tahboub is a member of the country’s Islamist Islah bloc, which voted to annul the legal loophole. The clause came from a 1911 Ottoman legal code that relied on the Napoleonic penal code of 1810.

There are still eight Arab states with similar laws that allow rapists to escape punishment if they marry their victim. These countries are facing increasing pressure from activists to eliminate such laws, according to Human Rights Watch.

Jordan’s law protected rape, statutory rape and kidnap perpetrators from punishment otherwise they faced up to seven years in prison or capital punishment for crimes that involved victims 15-years-old or younger. The statute to the law allowed the perpetrator to suspend any criminal prosecution if they married their victim and remained married for at least three years.

Lebanon announced their plan to abolish their law in December but the proposed plan is still making its way through the legislative process. Bahrain’s Parliament said in May last year to eliminate their version of this law but the cabinet has not yet approved the change in law. Morocco, Egypt, and Tunisia already repealed their similar laws. Several Latin American countries as well as the Philippines and Tajikistan have “marry your rapist” laws.

Suad Abu Dayyeh, a consultant of the feminist campaign group Equality Now’s Middle East and North Africa division said, “I feel like we’re living in a historic moment. All these years of campaigning have paid off and will send a positive message to the rest of the region.”

Jordan Ministry of Justice figures suggest that nearly 160 rapists were able to use the loophole to escape prosecution between 2010 and 2013. Roughly 300 rapes were recorded each year on average during that three year period but that number is quite likely underreported since extramarital sex is very taboo in the country. There have been cases of women in Jordan that reported being raped but were then murdered as an “honor killing.”

Abu Dayyeh added, “We still have a lot of work to do, when it comes to domestic violence and family law. But still. Today is a beautiful day.”

UN data estimates that around one billion women and girls are affected by rape and sexual abuse over their lifetime.

Do you think the UN should be stepping in to require all countries to drop this kind of law? Tell us in the comments below.

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