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Jordan

International Religious Freedom Report 2005

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The Constitution provides for freedom of religion, on condition that religious practices are consistent with "public order and morality;" however, the Government continued to impose restrictions on this right. According to the Constitution, Islam is the state religion.

There was no change in the status of respect for religious freedom during the reporting period. A convert from Islam to Christianity was detained on the orders of a Shari'a court in September 2004 and charged with apostasy. In November, the Amman Shari'a Court found him guilty of apostasy, stripped him of his civil rights, and annulled his marriage. A Shari'a appellate court upheld the conviction in January 2005. Members of unrecognized religious groups and converts from Islam face legal discrimination and bureaucratic difficulties in personal status cases. Converts from Islam additionally risk the loss of civil rights. There is no statute that expressly forbids proselytizing Muslims. However, Shari'a courts have the authority to prosecute proselytizers.

The generally amicable relationship among religions in society contributed to religious freedom. Relations between Muslims and Christians generally are good; however, adherents of unrecognized religions and Muslims who convert to other faiths face societal discrimination.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall policy to promote human rights and interfaith dialogue and understanding.

Section I. Religious Demography

The country has an area of 55,436 square miles, and its population is approximately 5.6 million. More than 95 percent of the population is Sunni Muslim. Official government figures estimate that Christians make up 4 percent of the population; however, government and Christian officials privately estimate the true figure to be closer to 3 percent. There also are at least 20,000 Druze, a small number of Shi'a Muslims, and fewer than 800 adherents of the Baha'i Faith. There are no statistics available regarding the number of atheists or persons who are not adherents of any religious faith.

Officially recognized Christian denominations include the Greek Orthodox, Roman Catholic, Greek Catholic (Melkite), Armenian Orthodox, Maronite Catholic, Assyrian, Anglican, Lutheran, Seventh-day Adventist, United Pentecostal, and Presbyterian churches. Other churches, including the Baptist Church, the Free Evangelical Church, the Church of the Nazarene, the Assembly of God, and the Christian and Missionary Alliance, are registered with the Ministry of Interior as "societies" but not as churches. Some Egyptian immigrants are adherents of the Coptic Church. There also are a number of Chaldean and Syriac Christians and Shi'a represented in the immigrant Iraqi population.

With few exceptions, there are no major geographic concentrations of particular religious groups. The cities of Husn, in the north, and Fuheis, near Amman, are predominantly Christian. Madaba and Karak, both south of Amman, also have significant Christian populations. The northern part of the city of Azraq has a sizeable Druze population, as does Umm Al-Jamal in the governorate of Ma'raq. There also are Druze populations in Amman and Zarka and a smaller number in Irbid and Aqaba. There are a number of nonindigenous Shi'a living in the Jordan Valley and the south.

Foreign missionaries operating in the country include representatives of the Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah's Witnesses, Campus Crusade for Christ, Samaritan's Purse, The Evangelical Alliance Mission, Life Agape, Intervarsity, Navigators, Christar, Arab World Ministries, Operation Mobilization, Southern Baptist International Mission Board, the Conservative Baptists, Frontiers, Brother Andrew, the Jesuits, Christian Brothers, Rosary Sisters, Benedictines, Anglican Church Mission Society, the Society of Friends (Quakers), Comboni Sisters, Little Sisters of Jesus, the Religious of Nazareth, Sisters of St. Dorothy, the Daughters of Mary the Helper (Salesian Sisters), the Little Sisters of Nazareth, the Little Family of the Annunciation, Sisters of St. Joseph of the Apparition, Basiliennes Chouerites, Focolare Sisters, Franciscans (OFM), Sons of Divine Providence (Don Orione Fathers),

Association Fraternal International (AFI), Institute of the Incarnate Word, Franciscans of the Cross, Dominican Sisters of St. Catherine, Franciscan Missionaries of Mary (FMM), Franciscan Missionaries of the Immaculate Heart of Mary, Daughters of Mary of the Enclosed Garden, Theresian Institute, and the Missionaries of Charity.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, on condition that religious practices are consistent with "public order and morality;" however, the Government continued to impose restrictions on this right. According to the Constitution, Islam is the state religion.

The Constitution, in Articles 103-106, provides that matters concerning the personal status of Muslims are the exclusive jurisdiction of Shari'a Courts, which apply Shari'a law in their proceedings. Personal status includes religion, marriage, divorce, child custody and inheritance. Personal status law follows the guidelines of the Hanafi school of Islamic jurisprudence, which is applied to cases that are not explicitly addressed by civil status legislation. Matters of personal status of non-Muslims are the jurisdiction of Tribunals of Religious Communities, according to Article 108.

While Christianity is a recognized religion and non-Muslim citizens may profess and practice the Christian faith, churches must be accorded legal recognition through administrative procedures to own land and perform marriages and other sacraments. The Prime Minister unofficially confers with an interfaith council of clergy representing officially registered local churches on all matters relating to the Christian community, including the registration of new churches. The Government refers to the following criteria when considering official recognition of Christian churches: the faith must not contradict the nature of the Constitution, public ethics, customs, or traditions; it must be recognized by the Middle East Council of Churches; the faith must not oppose the national religion; and the group must include some citizen adherents. Groups that the Government deems to engage in practices that violate the law and the nature of society or threaten the stability of public order are prohibited; however, there were no reports that any religious groups were banned.

Churches and other religious institutions that wish to receive official recognition must apply to the Prime Ministry for registration. Recognized non-Muslim religious institutions do not receive subsidies; they are financially and administratively independent of the Government and are tax-exempt. Some churches were registered with the Ministry of Interior as "societies" rather than churches.

Religious instruction is mandatory for all Muslim students in public schools. Christian and Baha'i students are not required to attend courses in Islam, and Christian religious instruction is provided for Christian students in public schools. In the past, a local Orthodox priest complained that public schools did not provide a satisfactory curriculum for Christian students in lieu of Islamic studies. In 1996 the late King Hussein and the Ministry of Education approved religious instruction for Christian students in public schools. In 1998 the Government launched an experimental program in four districts to incorporate Christian education in the public school curriculum. However, this program has not progressed as planned. In public schools with a Christian population large enough to merit a Christian curriculum, several different denominations are usually present. While it is the responsibility of the various churches to design a program of instruction, they have not been able to agree on a common curriculum. The Constitution provides that congregations have the right to establish schools for the education of their own members "provided that they comply with the general provisions of the law and are subject to government control in matters relating to their curriculums and orientation."

There are two major government-sponsored institutions that promote interfaith understanding: the Royal Institute for Inter-Faith Studies and the Royal Academy for Islamic Civilization Research (the Al al-Bayt Foundation). The last time the Government held an international Christian conference in government facilities was in 2002.

The Muslim feasts of Eid al-Adha, Eid al-Fitr, the Birth of the Prophet, the Prophet's Ascension, and the Islamic New Year are celebrated as national holidays. Christmas and the Gregorian calendar New Year also are national holidays. Easter is a government-recognized holiday and Christians may request leave for other Christian feasts approved by the local Council of Bishops.

Restrictions on Religious Freedom

There were no reports that the practice of any faith was prohibited; however, the Government does not officially recognize all religious groups. Some religious groups, while allowed to meet and practice their faith, faced societal and official discrimination. In addition, not all Christian denominations have applied for or been accorded legal recognition.

The Government does not recognize the Druze or Baha'i faiths as religions but does not prohibit their

practice. The Druze face official discrimination but do not complain of social discrimination. Baha'is face both official and social discrimination. The Government does not record the bearer's religion as Druze or Baha'i on national identity cards; Druze are listed as Muslim, and Baha'i do not have any religion officially listed. The small Druze and Baha'i communities do not have their own courts to adjudicate personal status and family matters; such matters are heard in Shari'a courts. The Government does not officially recognize the Druze temple in Azraq, and four social halls belonging to the Druze are registered as "societies." The Government does not permit Baha'is to register schools or places of worship. Employment applications for government positions occasionally contain questions about an applicant's religion.

The Government does not recognize Jehovah's Witnesses, the Church of Christ, or the Church of Jesus Christ of Latter-day Saints, but each denomination is allowed to conduct religious services and activities without interference.

The Government does not interfere with public worship by the country's Christian minority.

Because Shari'a law governs the personal status of Muslims, converting from Islam to Christianity and proselytizing Muslims are not allowed. Muslims who convert to other faiths face societal and governmental discrimination. The Government does not recognize the legality of such conversions. Under Shari'a, converts are regarded as apostates and legally may be denied their civil and property rights. In the past, this principle has not been applied, but during the reporting period one convert to Christianity was found guilty of apostasy and stripped of many of his civil rights. The Government claims it neither encourages nor prohibits apostasy. Converts from Islam do not fall under the jurisdiction of their new religion's laws in matters of personal status; they are still considered Muslims under Shari'a. Converts to Islam fall under the jurisdiction of Shari'a courts. Shari'a law prescribes the death penalty for Muslims who convert to another religion; however, such punishment has never been applied.

Government policy requires that foreign missionary groups (which the Government alleges to be unfamiliar with the customs and traditions of the indigenous society) refrain from public proselytizing to maintain the missionaries' safety and security with regards to members of society opposed to such practices. In the past, the Government has taken action against some Christian missionaries in response to the complaints of local Christian groups who charged that their activities disrupted the peace and cohesion of society.

Despite past difficulty in obtaining legal status, the Jordan Evangelical Theological Seminary (JETS), a Christian training school for pastors and missionaries, was registered with the Government and currently operates as a cultural center. JETS is permitted to appoint faculty and administration, but as a consequence the Government denies accreditation. Students and faculty from abroad wishing to attend JETS were able to obtain residency through tourist visas; however, because of the lack of accreditation, visas were not guaranteed. Many students overstayed their visas and upon departure from the country were required to pay two dollars for each day they spent out of status. JETS is forbidden by the Government to accept students who are Muslim converts to Christianity. In the past, seven foreign students who had converted from Islam to Christianity were forced out of the program and asked to leave the country. The Government authorized JETS to own property, and in August 2003 they broke ground on a new facility.

Of the 110 seats in the Lower House of Parliament, 9 are reserved for Christians. No seats are reserved for Druze or adherents of other religious faiths. The parliamentary elections law historically has under-represented urban areas that are centers of support for Islamist candidates. The Islamic Action Front, the major Islamic party, participated in the June 2003 parliamentary elections and holds 17 of the 110 seats.

The Political Parties Law prohibits houses of worship from being used for political activity. The law was designed primarily to prevent government opponents from preaching politically oriented sermons in mosques.

In early 2000, radical Islamists criticized a poem published by Muslim poet Musa Hawamdeh, and the Government banned the book in which the poem was included. Based on provisions in the penal code, he was charged with the equivalent of a misdemeanor for insulting Islam. In July 2000, Hawamdeh, without retracting any portion of his poem, was acquitted in both the Shari'a and civil courts; however, because of technicalities the Shari'a court subpoenaed Hawamdeh again in 2001 for the same case in which he had already been acquitted. In May 2003, Hawamdeh was sentenced to 3 months in prison for apostasy. The Court of First Instance found that Hawamdeh had denied "undeniable facts from the Holy Qur'an." Hawamdeh immediately challenged the verdict, but in August 2003 the Appeals Court upheld the lower court's ruling. At the end of the reporting period, he remained free pending another appeal.

The Ministry of Religious Affairs and Trusts manages Islamic institutions and the construction of mosques. It also appoints imams, provides mosque staff salaries, manages Islamic clergy training centers, and subsidizes certain activities sponsored by mosques. The Government monitors sermons at mosques and requires that speakers refrain from political commentary that could instigate social or political unrest.

In January 2003, the private weekly newspaper Al Hilal was shut down and three of its journalists were arrested and accused of "harming the dignity of Muslims" (blasphemy) by publishing an article about the Prophet Muhammad's sexual relationship with his wives, described in some legends. In February 2003, all three were found guilty, with the prison sentences of two journalists commuted to fines and the author sentenced to 6 months' incarceration. The newspaper has since resumed publication.

According to the Constitution, religious community trusts ("Awqaf") and matters of personal status such as religion, marriage, divorce, child custody, and inheritance fall within the exclusive jurisdiction of the Shari'a courts for Muslims and separate non-Muslim tribunals for each religious community recognized by the Government. There is no provision for civil marriage or divorce. The head of the department that manages Shari'a court affairs (a cabinet-level position) appoints Shari'a judges, while each recognized non-Muslim religious community selects the structure and members of its own tribunal. All judicial nominations are approved by the Prime Minister and commissioned officially by royal decree. The Protestant denominations registered as "societies" come under the jurisdiction of one of the recognized Protestant church tribunals. There are no tribunals assigned for atheists or adherents of unrecognized religions such as the Druze and the Baha'i. Such individuals must request one of the recognized courts to hear their personal status cases.

Shari'a is applied in all matters relating to family law involving Muslims or the children of a Muslim father, and all citizens, including non-Muslims, are subject to Islamic legal provisions regarding inheritance.

All minor children of a male citizen who converts to Islam automatically are considered to be Muslim. Adult children of a male Christian who has converted to Islam become ineligible to inherit from their father if they do not convert to Islam. In cases in which a Muslim converts to Christianity the conversion is not recognized legally by the authorities, and the individual continues to be treated as a Muslim in matters of family and property law; his minor children also continue to be treated as Muslims under the law.

In 2002, the Shari'a and civil court systems adjudicated a dispute concerning custody of two minors, raised as Christians, whose father allegedly converted to Islam shortly before his death. The widow contends that her husband's signature on the conversion certificate is a forgery. The courts assigned legal custody to the Christian widow's brother, who is a convert to Islam. However, the children remained in the mother's physical custody pending the result of a counter suit she filed against her brother, alleging disinterest in the children and misuse of the children's trust funds. In April 2005, a court ruled in the mother's favor and assigned her legal custody of the children. In May, the widow's brother appealed against the ruling, but an appellate court rejected the petition.

Some Christians are unable to divorce under the legal system because they are subject to their faith's religious court system, which does not allow divorce. Many such individuals convert to another Christian denomination or to the Muslim faith to divorce legally.

Druze, Baha'is, and members of other unrecognized religions do not have their religious affiliations correctly noted on their national identity cards or "family books" (the family book is a national registration record that is issued to the head of every family and that serves as proof of citizenship). Atheists must associate themselves with a recognized religion for official identification purposes.

The Government traditionally reserves some positions in the upper levels of the military for Christians; however, all senior command positions traditionally have been reserved for Muslims. Division-level commanders and above are required to lead Islamic prayer on certain occasions. There is no Christian clergy in the military.

Abuses of Religious Freedom

On September 13 2004, on the order of a Shari'a court, a convert from Islam to Christianity was arrested and held overnight on charges of apostasy. On November 23, a Shari'a court found the defendant guilty of apostasy. The ruling was reaffirmed on January 25, 2005 by a Shari'a appeals court. The verdict declared the convert to be a ward of the state, stripped him of his civil rights, and annulled his marriage. It further declared him to be without any religious identity. It stated that he lost all rights to inheritance, may not remarry his (now former) wife unless he returns to Islam, and forbade his being considered an adherent of any other religion. The verdict implies the possibility that legal and physical custody of his child could be assigned to someone else. The convert reportedly left the country with his family.

There were no reports of religious detainees or prisoners who remained in custody at the end of the period covered by this report; however, in September 2004 the security services detained and released 11 unlicensed preachers, described in the press as Islamists. Such detentions were related to allegations of involvement in strictly political activities rather than religious affiliation or belief.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been

abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States. However, according to the law, the father of any child, whether Muslim or Christian, may restrict the child's travel. There are at least six U.S. citizen children of mixed-religion marriages residing in the country against the will of their U.S. citizen mothers. Under the law, such children are considered to bear the religion of their fathers.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the reporting period.

Section III. Societal Attitudes

The generally amicable relationship among religions in society contributed to religious freedom. In general, Christians did not suffer discrimination. Christians held high-level government and private sector positions and were represented in the media and academia approximately in proportion to their presence in the general population. Baha'is faced some societal discrimination.

The majority of the indigenous population view religion as central to one's personal identity. Relations between Muslims and Christians generally are amicable. However, Muslims who convert to other religions often face social ostracism, threats, and abuse from their families and Muslim religious leaders. Interfaith relationships, which ultimately may lead to conversion (either to the Muslim or Christian faiths), usually are strongly discouraged by the families. Such relationships may lead to ostracism and, in some cases, violence against the couple or feuds between members of the couple's families. When such situations arise, families may approach local government officials for resolution. In the past, there were reports that in some cases local government officials encouraged Christian women involved in relationships with Muslim men to convert to Islam to defuse potential family or tribal problems; however, during the period covered by this report, there were no known cases in which local officials harassed or coerced persons to convert from Christianity to Islam. In the past, a number of mixed-faith married couples sought to emigrate because of negative family and societal reactions to their marriages.

Anti-Semitic editorial cartoons, articles and opinion pieces, usually the expressions of political columnists, were published in the newspapers "Al-Rai" and "Al-Dustur". They were not common, but did occur without government response.

During the reporting period, a member of the royal family, Prince Hamza, hosted a conference that promoted interfaith dialogue among religious communities. The conference included religious leaders from numerous countries and focused on Islam as a faith with democracy principals. In November 2004, supported by the Government, the Grand Mufti issued a proclamation, stating that the "true nature" of Islam is one of moderation and tolerance. He encouraged the "silent majority" to promote Islam as a faith capable of building bridges of understanding between all nations.

In 2003, a number of Muslims and Christians founded the Jordan Interfaith Coexistence Research Center, which promotes interfaith dialogue both domestically and internationally. For instance, the Center was instrumental in organizing a trip of moderate Muslim clerics to the United States to meet with religious leaders from the three monotheistic faiths. During the reporting period, local newspapers occasionally published articles critical of Christian evangelical organizations.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. U.S. Embassy officials raised religious freedom and other human rights issues with government authorities on a number of occasions. Embassy officers met frequently with members of the various religious and missionary communities in the country, as well as with private religious organizations.

During the reporting period, the Embassy funded six American speakers to participate in a conference entitled, "Islam and Muslims in the 21st Century." The Faculty of Shari'a and Islamic Studies at Yarmouk University hosted the conference. The Embassy also sponsored the participation of a prominent Shari'a judge in an international visitor program designed to promote interfaith dialogue. Embassy officers met with moderate Islamic political leaders dedicated to tolerance and religious dialogue. The Department of State instituted a multi-phase exchange program that will bring U.S. religious leaders to Jordan and Jordanian imams and other religious leaders to the United States for outreach activities aimed at grassroots communities and youth. The Embassy also sent a reporter who covers religious issues to the United States on an international visitor grant.

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