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2011 Report on International Religious Freedom - Jordan

Bureau of Democracy, Human Rights, and Labor
July 30, 2012

[Covers calendar year from 1 January 2011 to 31 December 2011]

Executive Summary

The constitution and other laws and policies provide for religious freedom and, in practice, the government generally respected religious freedom, with some exceptions. The government did not demonstrate a trend towards either improvement or deterioration in respect for and protection of the right to religious freedom. The constitution stipulates that the state religion is Islam, but provides for the freedom to practice the rites of one's religion and faith in accordance with the customs that are observed in the kingdom, unless they violate public order or morality. The constitution notes that the king must be Muslim and the government accords primacy to Sharia (Islamic law). The constitution also stipulates that there shall be no discrimination in the rights and duties of citizens on grounds of religion; however, the government's application of Islamic law infringes upon some of the religious freedoms laid out in the constitution. Members of unrecognized religious groups face legal discrimination. The government continued to monitor members of the Baha'i Faith, a few Muslim converts to Christianity, and some citizens and foreign residents suspected of proselytizing Muslims. In the case of converts, this sometimes included attempts by the government to induce them to convert back to Islam. Conversion from Islam is not permitted under Islamic law, and any such converts risk the loss of civil rights. Security services continued nonintrusive monitoring of Christian churches and leaders for security reasons; this was generally welcomed by Christians.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. While relations between Muslims and Christians generally were peaceful, adherents of unrecognized religions and Muslims who converted to other religions faced societal discrimination and the threat of mental and physical abuse by their families, government officials, and at times community members.

The ambassador and other U.S. government officials discussed religious freedom with the government as part of active and ongoing efforts to promote human rights. In addition, the embassy supported a number of exchange and outreach programs that facilitated religious tolerance.

Section I. Religious Demography

Approximately 95 percent of the population is Sunni Muslim. Estimates of the number of Christian citizens vary from 1.5 to 3 percent of the population. Shia Muslims, Baha'i, and Druze constitute an estimated 2 percent of the population.

Officially recognized Christian denominations include the Greek Orthodox, Roman Catholic, Greek Catholic (Melkite), Armenian Orthodox, Maronite Catholic, Assyrian, Coptic, Anglican, Lutheran, Seventh-day Adventist, and Presbyterian churches. Christian churches not officially recognized but registered as "societies" include the Free Evangelical Church, Nazarene Church, Assemblies of God, Christian and Missionary Alliance, and The Church of Jesus Christ of Latter-day Saints (Mormons). Unrecognized Christian denominations not registered as "societies" include United Pentecostal and Jehovah's Witnesses. There are Chaldean and Syriac Christians among the Iraqi refugee population, referred to as "guests" by the government. The Baptist Church is registered as a "denomination," but does not enjoy the full privileges of other registered denominations in the country. The government does not recognize the Baha'i Faith as a religion.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The constitution provides for the freedom to practice the rites of one's religion and faith in accordance with the customs that are observed in the kingdom, unless they violate public order or morality. The constitution further stipulates there shall be no discrimination in the rights and duties of citizens on grounds of religion; however, the constitution also notes the state religion is Islam and the king must be Muslim.

The constitution also provides that matters concerning personal status, such as religion, marriage, divorce, child custody, and inheritance, are under the exclusive jurisdiction of religious courts. Muslims are subject to the jurisdiction of Islamic law courts, which apply Islamic law adhering to the Hanafi school of Islamic jurisprudence, except in cases that are explicitly addressed by civil status legislation. Matters of personal status of non-Muslims whose religion is recognized by the government are under the jurisdiction of denomination-specific tribunals of religious communities, as outlined in the constitution. During the year, there were three tribunals, one each for Catholics, Greek Orthodox, and Anglicans, which oversaw their denominations' respective religious courts. Members of Protestant denominations registered as "societies" must use the recognized Anglican tribunal. There are no tribunals for atheists or adherents of unrecognized religions, such as the Baha'i Faith. Such individuals must request that one of the recognized courts hear their personal status cases. There is no legal provision for civil marriage or divorce. Members of religious groups that have no legally recognized religious divorce sometimes converted to another Christian denomination or to Islam in order to divorce legally.

Islamic law governs all matters relating to family law involving Muslims or the children of a Muslim father. All citizens, including non-Muslims, are subject to Islamic legal provisions regarding inheritance if no equivalent inheritance guidelines are codified in their religion or if their religion does not have official state recognition. Minor children of male citizens who convert to Islam are considered Muslims. Adult children of a male who has converted to Islam become ineligible to inherit from their father if they do not also convert to Islam.

The head of the department that manages Islamic law court affairs (a cabinet-level position) appoints Islamic law judges, while each recognized non-Muslim religious community selects the structure and members of its own tribunal. All judicial nominations must be approved by the prime minister and commissioned officially by royal decree.

Neither the constitution, the penal code, nor civil legislation bans conversion from Islam or efforts to proselytize Muslims. However, the government prohibits conversion from Islam in that it accords primacy to Islamic law, which governs Muslims' personal status and prohibits them from converting. This practice contradicts the constitution's religious freedom provisions. The government freely allows conversion to Islam and from one recognized non-Islamic faith to another.

As the government does not allow conversion from Islam, it also does not recognize converts from Islam as falling under the jurisdiction of their new religious community's laws in matters of personal status; rather, converts from Islam are still considered Muslims. In general under Islamic law, these converts are regarded as apostates, and any member of society may file an apostasy complaint against them. In cases decided by an Islamic law court, judges have annulled converts' marriages, transferred child custody to a non-parent Muslim family member, conveyed an individual's property rights to Muslim family members, deprived individuals of many civil rights, and declared non-Muslim minors as "wards of the state" and without any religious identity.

On January 21, 2009, the cabinet officially recognized the Council of Church Leaders as the government's advisory body for all Christian affairs. The council consists of the heads of the country's 11 officially recognized Christian churches and serves as an administrative body to facilitate official Christian matters, including the issuance of work permits, land permits, and marriage and birth certificates, in coordination with government ministries, departments, and institutions. Unrecognized Christian denominations, despite not having full membership on the council, also must conduct business with the government through the council. During the year, concerns continued over the council's capacity to manage all Christian affairs effectively and fairly.

Christians have served regularly as cabinet ministers, and in October the king appointed five Christians to the upper house of parliament. Of the 120 seats of the lower house of parliament, nine are reserved for Christians. Christians are prohibited from running outside of these designated seats. No seats are reserved for adherents of other minority religious groups. The government classification of Druze as Muslims permits them to hold office.

The government traditionally reserves some positions in the upper levels of the military for Christians, anecdotally estimated at about 4 percent; however, all senior command positions are held by Muslims. Division-level commanders and above are required to lead Islamic prayer on certain occasions. While there were only Sunni Muslim chaplains in the armed forces, Christian and Shia Muslim members of the armed forces are not prohibited from practicing their religion.

The Press and Publications Law prohibits the publication of media items that slander or insult "founders of religion or prophets" or that are deemed contemptuous of "any of the religions whose freedom is protected by the constitution" and imposes a fine of up to 20,000 dinars (\$28,000).

Religious institutions must be accorded official recognition through application to the prime minister's office to own land and administer rites such as marriage. This requirement also would apply to schools administered by religious institutions. Some groups remain officially unrecognized.

In the case of Christian groups, the prime minister confers with the Council of Church Leaders on the registration and recommendation of new churches. The government also refers to the following criteria when considering recognition of Christian churches: the group must not contradict the nature of the constitution, public ethics, customs, or traditions; the Middle East Council of Churches must recognize it; the faith must not oppose the national religion; and the group must include some citizens of the country.

The Ministry of Awqaf (religious endowments) and Islamic Affairs 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 preachers refrain from political commentary that the government believes could instigate social or political unrest. Imams who violate these rules face fines and a possible ban from preaching.

Recognized non-Islamic religious institutions do not receive subsidies; they are financially and administratively independent of the government and are tax-exempt. Groups registered as "societies" rather than denominations are subject to the 2008 Law on Associations that requires government approval of a group's budget, approval of foreign funding, and notification of the group's by-laws and board members in addition to other administrative restrictions. The Free Evangelical Church, the Church of the Nazarene, the Assemblies of God, and the Christian and Missionary Alliance are registered with the Ministry of Justice (MOJ) as "societies" and are subject to the law's restrictions. The Baptist Church, which is registered as a "denomination" with the Ministry of Interior, and other groups registered as "churches" with the MOJ are not subject to the associations law.

Although the government does not recognize the Druze religion, it does not prohibit its practice. The Druze did not report official discrimination. On national identity cards and "family books," which normally identify the bearer's religious community, the government records Druze as Muslims. The government does not officially recognize the Druze temple in Azraq; four social halls belonging to the Druze are registered as "societies."

The Baha'i Faith also is not recognized by the government, and Baha'is face official discrimination. On national identity cards and family books, the government records Baha'is as Muslims, leaves the space blank, or marks it with dashes. This action has implications under Islamic law for the legality of certain marriages, as a woman registered as Muslim is not permitted to marry a non-Muslim man; thus a Baha'i man with no officially noted religion could be prevented from marrying a Baha'i woman who has been erroneously registered as Muslim. The Baha'i community does not have its own court to adjudicate personal status matters; such cases may be heard in courts governed by Islamic law or other recognized religious courts upon request. The Department of Civil Status and Passports does not officially recognize marriages conducted by Baha'i assemblies, but it does acknowledge these marriages for the purpose of updating personal information in passports. Additionally, the child of a non-Muslim father and a Baha'i mother registered inaccurately as a Muslim is considered illegitimate under Islamic law. These children are not issued a birth certificate and subsequently are unable to receive citizenship or register for school. The government does not officially recognize Baha'i schools or places of worship. There are two recognized Baha'i cemeteries, but the cemetery in Adasieh is registered in the name of the Ministry of Awqaf and Islamic Affairs, despite requests to register it under the Baha'i Faith.

Public schools provide Islamic religious instruction as part of the basic national curriculum, although Christian students are allowed to leave the classroom during these sessions. However, Christian students in private and public schools must learn verses from the Qur'an and Islamic poetry in both Arabic and social studies classes in preparation for mid-year and end-of-year exams written by the Ministry of Education. The constitution provides congregations the right to establish schools to educate their communities, "provided that they comply with the general provisions of the law and are subject to the control of government in matters relating to their curricula and orientation." In several cities, Christian denominations operate private schools that are open to adherents of all religions, such as the Baptist, Orthodox, and Latin schools, and they are able to conduct Christian religion classes.

Employment applications for government positions occasionally contain questions about an applicant's religion. Religious affiliation is required on national identification cards and legal documentation, including on marriage and birth certificates, but not on travel documents such as passports.

Atheists and agnostics must associate themselves with a recognized religion for purposes

of official identification.

The government observes the following religious holidays as national holidays: the Birth of the Prophet Muhammad, the Prophet's Ascension, Eid al-Fitr, Eid al-Adha, the Islamic New Year, Christmas, and the Gregorian calendar New Year. Christians traditionally are given leave from work on Christian holidays approved by the Council of Church Leaders, such as Palm Sunday and Easter.

Government Practices

There were reports of abuses of religious freedom.

During the year, a few converts from Islam to Christianity reported being summoned and questioned by security service officers after family members complained to authorities about the conversion. Security services personnel reportedly questioned their beliefs, threatened court and other actions, and offered rewards to them for denouncing the conversion, such as employment opportunities. These converts also reported that security service personnel withheld certificates of good behavior required for job applications or to open a business and told employers to fire them.

There were no reports that the practice of any faith was prohibited, but some government actions impeded the activities of some Muslim and non-Muslim groups. Some religious groups, while allowed to meet and practice their faith, faced official discrimination. In addition, not all Christian denominations have been accorded legal recognition.

Some Baha'i children continued to face difficulty in obtaining birth certificates, which are required to register for school and to receive citizenship.

During the year, churchgoers continued to note the presence of security officers in civilian clothes outside churches of some Christian denominations. Church leaders stated that security officials have continued their monitoring of church services, but characterized this as an attempt to provide better protection following threats against Christian groups in the region. Some religious leaders also reported being summoned by the security services for questioning on their church's activities and church membership, although most characterized these encounters as civil.

Fewer religious leaders reported the sporadic denial of visas to foreign adherents coming to the country to attend workshops and conferences than during the previous year. Religious leaders reported that they and other congregants sometimes were questioned by the security services during travel in and out of the country, including occasional attempts to convert them to Islam. There were also anecdotal reports among the Iraqi refugee community of similar questioning by security services.

In 2009 the court of first instance charged a literary figure with defamation of Islam, and sentenced him to fines and time in jail. At the end of 2010, he was freed on bail pending an appeal of the court's ruling. On June 8, the government dropped the charges as part of a general pardon.

In 2010 an apostasy case was brought to the Amman Islamic law court by the brother of a citizen who converted from Islam to the Baha'i Faith. The case was initiated in March 2007. The 56-year-old defendant converted when he was 19, and there appeared to be no statute of limitations. The case was postponed on several occasions in 2009, 2010, and 2011 because both the convert and the witnesses failed to appear. At year's end, the defendant still faced charges; however the trial was postponed to the following year.

The government did not respond publicly to anti-Semitic material in the media.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Some religious groups, such as the Bahai's, while allowed to meet and practice their faith, faced some societal discrimination.

Some Muslims who converted to other religions reported facing social ostracism, threats, and physical and verbal abuse from their families and Muslim religious leaders. In recent years some family members of converts have filed apostasy charges against them in Islamic law courts, which have led to convictions depriving them of civil rights, including annulment of their marriage contracts and loss of custody of their children. Citizens reported that interfaith romantic relationships have led to ostracism and, in some cases, feuds between members of the couple's families and violence toward the individuals.

In the media, editorial cartoons, articles, and opinion pieces sometimes conflated anti-Israel sentiment with anti-Semitic sentiment, depicting negative images of Jews without public government response. In November the daily *Al-Arab Al-Yawm* published a column in which the writer blamed the Jews for causing all the conflicts in the world.

The national school curriculum, including materials on tolerance education, did not include mention of the Holocaust despite urging from the U.S. government to include it.

Section IV. U.S. Government Policy

The U.S. government promoted religious freedom with the government as part of its overall policy to promote human rights. The ambassador and other U.S. embassy officials raised religious freedom issues with government authorities on many occasions through formal inquiries and discussions with both working-level contacts and high-ranking officials. Embassy officers met frequently with members of the various religious and missionary communities, as well as with private religious organizations and interfaith institutions.

The embassy continued to send national religious scholars, teachers, and leaders to the United States on exchange programs designed to promote tolerance and a better understanding of religious freedom as a fundamental human right and source of stability.

In November the embassy hosted Imam Mohamad Basher Arafat, president of the Islamic Affairs Council of Maryland. He spoke on "Interfaith Dialogue and Mutual Understanding" at several universities, to imams, and to the media.

In April the embassy organized a program entitled "Voices of Religious Tolerance," which is designed to counter extremist voices in Afghanistan. The program brought approximately 50 selected Afghans to Jordan in order to attend programs to promote concepts of religious tolerance, plurality, and interreligious dialogue. The week-long program provided religious exposure to Afghans and other Muslims through excursions to religious landmarks and a series of lectures and classes given by Islamic scholars.
