

# **JORDAN 2016 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution declares Islam the religion of the state, but safeguards “the free exercise of all forms of worship and religious rites” as long as these are consistent with public order and morality. The constitution stipulates there shall be no discrimination based on religion. The constitution and the law accord primacy to sharia, which includes a prohibition against Muslims from converting to another religion. According to the constitution, matters concerning the personal and family status of Muslims come under the jurisdiction of sharia courts, while six Christian groups have religious courts to address such matters for their members. The public prosecutor ordered the detention of a public school teacher in October for promoting Shia Islam and allegedly insulting the Prophet Muhammad’s wife. The government continued to deny official recognition to some religious groups, including The Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah’s Witnesses, and the Bahai Faith. The government continued to monitor sermons at mosques and to require preachers to refrain from political commentary. Converts to Christianity from Islam reported security officials continued to interrogate them about their religious beliefs and practices. Members of unregistered groups continued to face problems registering their marriages and the religious affiliation of their children. The Ministry of Education announced revisions to the school curriculum, which it said reflected the constitution’s commitment to respect pluralism and the opinions of others while instilling “true Islamic values” in students. According to media reports, however, teachers unions, parent groups, and Muslim organizations objected to the changes, saying they distanced students from Islamic values and promoted the normalization of relations with Israel.

In September writer Nahed Hattar was killed in front of the Amman courthouse where he went to face charges of inciting sectarian strife and insulting religion for posting an editorial cartoon personifying God on his Facebook page. Following the publication of the cartoon and Hattar’s killing, there reportedly was a spike in online hate speech, especially against the Christian community. In response, King Abdullah urged citizens to respect what he said was the country’s long history of religious tolerance and coexistence. Converts to Christianity from Islam continued to report ostracism, as well as physical and verbal abuse, and some of them said they worshipped in secret as a result. Following a car crash in which a Muslim teenager and a Christian teenager were killed, the country’s Grand Mufti issued a fatwa stating Muslims were permitted to pass on their condolences to non-Muslims, and Muslims were permitted to accept condolences from non-Muslims.

The U.S. Ambassador and other embassy officers continued to engage with government officials at all levels to support the rights of religious minorities to practice their faiths freely and to promote interfaith tolerance in the educational curriculum. The Ambassador met with Muslim scholars and Christian community leaders to encourage interfaith dialogue. The embassy supported exchange programs promoting religious tolerance.

### **Section I. Religious Demography**

The U.S. government estimates the population at 8.2 million (July 2016 estimate). According to U.S. government estimates, Sunni Muslims make up 97.2 percent of the population and Christians 2.2 percent. Groups together constituting less than 1 percent include Shia Muslims, Bahais, and Druze. These estimates do not include migrant workers or Syrian refugees. According to the Ministry of Labor (MOL), there are approximately 316,000 migrant workers in the country, mostly from Egypt, South and East Asia, and Africa. Migrant workers from Africa and South and East Asia are often Hindu or Christian. There are more than 655,000 Syrian refugees in the country registered with UNHCR. The Syrian refugee population is mostly Sunni Muslim.

Christians tend to live in urban areas such as Amman, Fuhais, and Madaba.

### **Section II. Status of Government Respect for Religious Freedom**

#### **Legal Framework**

The constitution declares Islam the religion of the state. According to the constitution, the state shall safeguard the free exercise of all forms of worship and religious rites in accordance with the customs observed in the kingdom, unless those are inconsistent with public order or morality. The constitution stipulates there shall be no discrimination in the rights and duties of citizens on grounds of religion. It states the king must be a Muslim.

The constitution does not address the right of Muslims to convert to another faith, nor are there penalties under civil law for doing so. The constitution and the law accord primacy to sharia, however, which prohibits Muslims from converting to another religion. Under sharia, converts from Islam are still considered Muslims but regarded as apostates. The law does not specify a penalty for apostasy, but

apostates may have their marriages annulled or may be disinherited. Any member of society may file an apostasy complaint against such individuals.

Individuals who proselytize Muslims may be prosecuted in the State Security Court under the penal code's provisions against "inciting sectarian conflict" or "harming the national unity." Both of these offenses are punishable by imprisonment for up to one year or a fine of up to 50 JD (\$71).

The constitution does not address the right of non-Muslims to convert to Islam or to convert from one recognized non-Islamic faith to another. Nor are there penalties under civil law or sharia for doing so.

Islamic religious groups are granted recognition through the constitution and do not need to register. Non-Islamic religious groups must obtain official recognition through registration. If registered as "denominations," they may administer religious rites such as marriage. They may also own land, open bank accounts, and enter into contracts. Religious groups may also be registered as "associations;" if so, they must work through a recognized denomination on matters such as marriage, divorce, and inheritance, but may own property and open bank accounts. They must obtain government approval to accept foreign funding. Recognized non-Islamic religious groups are tax exempt, but do not receive the government subsidies granted to Islamic religious groups.

Nonrecognized religious groups lack legal status and may not undertake basic administrative tasks such as opening bank accounts, purchasing real estate, or hiring staff. These groups may designate an individual to exercise these functions on their behalf.

To apply for registration, a religious group must submit its bylaws, a list of its members, its budget, and information about its religious doctrine. In determining whether to register or recognize Christian groups, the prime minister confers with the minister of the interior and the Council of Church Leaders (CCL), a government advisory body. The government also refers to the following criteria when considering recognition of Christian groups: the group's teachings must not contradict the nature of the constitution, public ethics, customs, or traditions; the Middle East Council of Churches, a regional body comprising Christian religious groups, must recognize it; its religious doctrine must not oppose Islam as the state religion; and the group must include a number of citizens, although a precise figure is not specified.

The law lists 11 officially recognized Christian denominations: Greek Orthodox, Roman Catholic, Armenian Orthodox, Melkite Catholic, Anglican, Maronite Catholic, Lutheran, Syrian Orthodox, Seventh-day Adventist, United Pentecostal, and Coptic. Five Christian groups are not recognized as denominations by the government but are registered (and recognized) as associations: the Free Evangelical Church, Nazarene Church, Assemblies of God, Christian and Missionary Alliance, and Baptists.

The CCL consists of the heads of the country's 11 officially recognized Christian denominations and serves as an administrative body to facilitate tax and customs exemptions, as well as the issuance of civil documents (marriage or inheritance). On other issues, such as issuing work permits or purchasing land, the denominations interact directly with the relevant ministries. Groups recognized as associations do not have representatives on the CCL and handle administrative tasks through the ministry with which they are registered as nonprofit organizations, or the ministry relevant to the task. Nonrecognized Christian groups do not have representatives on the CCL and have no legal status as entities and must have individual members of their groups conduct business with the government on their behalf.

According to the constitution, a special provision of the law shall regulate the activities and administration of finances of Muslim Waqfs (religious endowments). Per this provision of the law, the Ministry of Awqaf and Islamic Affairs manages Islamic institutions and mosque construction. It also appoints imams, pays mosque staff salaries, manages Islamic clergy training centers, and subsidizes certain mosque-sponsored activities such as holiday celebrations and religious observances.

According to the law, clergy who do not follow government policy may be suspended, issued a written warning, banned from delivering Friday sermons for a certain period, or dismissed from Ministry of Awqaf employment. In addition to these administrative measures, a preacher who violates the law may be imprisoned for a period of 1 week to 1 month, or given a fine not to exceed 20 JD (\$28).

The law prohibits the publication of media items which slander or insult "founders of religion or prophets" or are deemed contemptuous of "any of the religions whose freedom is protected by the constitution," and imposes a fine on violators of up to 20,000 JD (\$28,250).

By law, public schools provide Islamic religious instruction as part of the basic national curriculum, although non-Muslim students are allowed to opt out. Private schools may offer alternative religious instruction. The constitution provides “congregations” (a term not defined in the constitution, but legally including religious groups recognized as denominations and associations) with the right to establish their own schools provided “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 order to operate a school, religious institutions must receive permission from the Ministry of Education, which ensures the curriculum meets national standards. The Ministry of Education does not oversee religious courses if religious groups offer them at their places of worship. In several cities, recognized Christian groups – including Baptist, Orthodox, Anglican, and Roman Catholic – operate private schools, and are able to conduct classes on Christianity. The schools are open to adherents of all religions.

Non-Muslim students in both public and private schools are required by law to demonstrate the same knowledge of the Quran as Muslim students in determining eligibility to attend university. Every student must pass the same exam in their final year of high school, which includes mastery of the verses of the Quran in relation to both religion and the Arabic language.

The constitution specifies the judiciary shall be divided into civil courts, religious courts, and special courts, with religious courts divided into sharia courts and tribunals of other religious communities. According to the constitution, matters concerning personal status, which include religious affiliation, marriage, divorce, child custody, and inheritance, are under the jurisdiction of religious courts. Matters of personal status where the parties are Muslim fall within the exclusive jurisdiction of the sharia courts. A personal or family status case in which one party is Muslim and the other is non-Muslim is heard by a civil court unless both parties agree to use a sharia court. Per the constitution, matters of personal status of non-Muslims whose religion the government officially recognizes are under the jurisdiction of denomination-specific courts of religious communities. Such courts exist for the Greek Orthodox, Roman Catholic, Melkite Catholic, Armenian Orthodox, Coptic, Syrian Orthodox, and Anglican communities. According to the law, members of recognized denominations lacking their own courts must take their cases to civil courts, which, in principle, follow the rules and beliefs of the litigants’ denomination in deciding cases, unless both parties to a case agree to use a specific religious court. There are no tribunals for atheists or adherents of nonrecognized religious groups. Such individuals must request a civil court hear their case.

According to the constitution, sharia courts also exercise jurisdiction with respect to cases concerning “blood money” (Diya) where the two parties are Muslims or where one of the parties is not a Muslim and the two parties consent to the jurisdiction of the sharia courts, and with regard to matters pertaining to Islamic Waqfs. Muslims are also subject to the jurisdiction of sharia courts on civil matters not addressed by civil status legislation.

The Sharia Judicial Council appoints sharia judges, while each recognized non-Muslim religious community selects the structure and members of its own tribunal. The law stipulates the cabinet must ratify the procedures of each Christian ecclesiastical court. All judicial nominations must be approved by a royal decree.

The sharia courts do not recognize converts from Islam as falling under the jurisdiction of their new religious community’s laws in matters of personal status. Sharia court judges may annul the marriages of converts, transfer child custody to a nonparent Muslim family member or declare the children “wards of the state,” and convey an individual’s property rights to Muslim family members.

Per sharia, marriages between a Muslim woman and a non-Muslim man are not permitted; the man must convert to Islam for the marriage to be considered legal. If a Christian woman converts to Islam while married to a Christian man, her husband must also convert for their marriage to remain legal. There is no legal provision for civil marriage or divorce for members of nonrecognized religious groups. Members of nonregistered Christian groups, as well as members of groups registered as associations, may obtain marriage certificates from the Anglican Church (or from another Christian church), which they then may take to the Civil Status Bureau to receive their government marriage certificates.

Sharia governs all matters relating to family law involving Muslims or the children of a Muslim father. If a Muslim husband and non-Muslim wife are divorced, the wife loses custody of the children when they reach seven years of age. Minor children of male citizens who convert to Islam are considered Muslims and are not legally allowed to reconvert to their father’s prior religion or convert to any other religion. In accordance with sharia, adult children of a man who has converted to Islam become ineligible to inherit from their father if they do not also convert to Islam. 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 the state does not recognize their religion.

The law requires religious affiliation be stated on national identification records and legal documentation, including on marriage and birth certificates, but not on travel documents such as passports. New national identification cards issued as of this year do not list religion, but religious affiliation is contained in records embedded in the card's electronic chip. Atheists and agnostics may list the religious affiliation of their families as their own. Per the ban on conversion from Islam under sharia, converts from Islam to Christianity are not allowed to change their religion on their identification records. Converts from Christianity to Islam may change their religion on their civil documents.

According to the new electoral law passed during the year, Christians are allotted nine seats out of 130 seats in parliament (6.9 percent). Christians may not run for the remaining 121 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 country is a party to the International Covenant on Civil and Political Rights.

### **Government Practices**

The public prosecutor ordered the detention of a public school teacher on October 20 for allegedly promoting Shia Islam and insulting Prophet Muhammad's wife. The teacher was charged with "instigating sectarian sedition" and insulting Aisha, the wife of the Prophet. The case was ongoing as of the end of the year.

Converts to Christianity from Islam continued to report security officials interrogated them about their religious beliefs and practices as part of the government's ongoing effort to place obstacles to conversion from Islam. Some converts reported they continued to worship in secret to avoid scrutiny by security officials.

Members of religious groups who were unable to obtain religious divorces continued to convert to another Christian denomination or to Islam to divorce legally, according to reports from religious leaders and the Ministry of Justice. The chief of the Justice Department reportedly continued to try to ensure Christians wanting to convert to Islam did not have a pending divorce case at the Christian tribunal courts to prevent them from converting for the sole purpose of obtaining a legal divorce.

The government continued to monitor sermons at mosques and to require preachers to refrain from political commentary which the government deemed could instigate social or political unrest. Imams who violated these rules continued to risk fines and a ban from preaching. Following a terrorist attack in the city of Karak in December, the government dismissed 15 imams who did not perform services in memory of the victims as instructed. There continued to be unofficial mosques operating outside Ministry of Awqaf control in many cities, as well as imams outside of government employment who preached without Ministry of Awqaf supervision.

The government policy of not recognizing the Bahai Faith continued, but the government also continued to allow Bahais to practice their religion, although it did not officially recognize Bahai places of worship or schools. Sharia courts and the courts of other recognized religions continued not to issue to Bahais the marriage certificates required to transfer citizenship to a foreign spouse or to register for government health insurance and social security. The Department of Civil Status and Passports also continued not to recognize marriages conducted by Bahai assemblies, but it did issue family books (a national registration record issued to every head of family) to Bahais, allowing them to register their children, except in cases of marriages between a Bahai man and a Bahai woman erroneously registered as Muslim. In those cases, the children were considered illegitimate and were not issued birth certificates or included in the family and subsequently were unable to obtain citizenship or register for school.

Other nonrecognized religious groups reported they continued to operate schools and hospitals, and hold meetings if they were low profile.

According to observers, the rights and privileges associated with membership in the CCL were guarded by religious groups with this status, and fostered a degree of competition among religious groups hoping to attain this status. Despite efforts to alter their status, both the Mormons and the Jehovah's Witnesses remained unrecognized either as denominations or as associations.

The government continued not to require registration of religious groups among refugees.

After the terrorist attack in Karak in December, some Christian leaders reported a continued presence of security officers in civilian clothes outside their churches. Christian leaders said they regarded this presence part of the government effort to provide additional security at public gathering places, including security for



religious worshippers. The church leaders said they especially appreciated the extra protection during religious holidays and large events.

Some Christian leaders continued to express concern the CCL did not meet regularly and lacked the capacity to manage the affairs of both recognized and nonrecognized Christian groups effectively and fairly.

Druze continued to worship at mosques and at social halls belonging to the Druze community. Druze reported the government continued to permit them to worship freely.

Members of non-Muslim religious groups continued to report occasional threats by the government to arrest them for violating the public order if they proselytized Muslims. There were no reported cases of prosecution or deportation for proselytizing during the year.

The government continued to permit non-Muslim members of the armed forces to practice their religion.

There continued to be two recognized Bahai cemeteries registered in the name of the Bahai Faith through a special arrangement previously agreed between the group and the government. Bahai leaders reported they continued to be unable to register other properties under the name of the Bahai Faith but remained able to register property under the names of individual Bahais. In doing so, the Bahai leaders said, they continued to have to pay new registration fees whenever they transferred property from one person to another at the death of the registered owner, a process constituting a large financial burden.

The Ministry of Education announced revisions to the school curriculum at the beginning of the academic year, which included pictures of women without head coverings and mention of the coexistence of Islam with other religions in textbooks. Following the announcement, the media reported teachers unions, Muslim groups, and parent groups objected to the changes with book burnings, social media campaigns, and calls for the education minister to resign. The media reported the changes were part of a government strategy to combat radical Islam, but the opposing groups stated the changes were distancing students from Islamic values. The teachers association said the changes were an attempt to change the country's Islamic values and to "promote normalization of relations with Israel." The Islamic Action Front, the Muslim Brotherhood's political organization in the country, also publicly criticized the changes. Other groups said the revisions did

not go far enough towards promoting tolerance and inclusion. Following the criticism, the minister of education stated the amended curriculum was in conformity with the principles of the constitution, which included respect for the opinions of others and pluralism, and was intended to instill true Islamic values in students through the promotion of tolerance and respect.

Following the introduction of the new curriculum, there continued to be complaints from some citizens groups over what they stated was the curriculum's continued failure to promote religious diversity and tolerance, and its continued inclusion of negative examples about non-Muslims, which could incite violence against non-Muslims.

The new curriculum continued the past practice of not including mention of the Holocaust.

The Bahai community reported the government continued to record Bahais as Muslims on official identification documents, or left blank the space listing religion, or marked it with dashes. The Bahais said this had implications for the legality of certain marriages. For example, because a woman registered as Muslim was not permitted to marry a non-Muslim man, a Bahai man with no officially recorded religion could not marry a Bahai woman erroneously registered as Muslim.

The government continued to record Druze as Muslims on civil documents identifying the bearer's religious community, reportedly without objection from the Druze.

Three Christians continued to serve as cabinet ministers in the 30-member cabinet. A few Christians also achieved the rank of general in the military, but Muslims continued to hold all senior security positions. By keeping the number of reserved seats for Christians at nine, while reducing the total number of seats from 150 to 130, according to the British NGO Minority Rights Group International, the new election law continued the disproportionately high representation of Christians in the parliament, which had been the case since adoption of the constitution in 1952.

### **Section III. Status of Societal Respect for Religious Freedom**

In September Riyadh Ismail Abdullah shot and killed writer Nahed Hattar in front of the Amman courthouse. Hattar was about to enter to face charges of inciting sectarian strife and racism and insulting religion for posting an editorial cartoon

(which he had not authored) on his Facebook page that included a personification of God. Hattar had been arrested in August, but had been released on bail when he was killed. Ismail was sentenced to death by hanging in December for carrying out a “deadly terrorist act,” but had not been executed as of the end of the year.

Following Hattar’s publication of the cartoon, his arrest, and killing, the press reported there was a spike in sectarian rhetoric in online postings by the public. Some of the hate speech, referring to Hattar’s Christian heritage, was directed against the Christian community. The Cybercrime Unit of the Public Security Directorate referred dozens of cases of spreading hate speech related to the cartoon and Hattar’s killing to the judiciary for prosecution. The media reported police arrested at least 16 individuals. As of the end of the year, the cases were ongoing.

After Hattar’s killing, King Abdullah repeated previous public statements he had made urging citizens to respect the country’s “long history of religious tolerance and coexistence.” The King said it was a “red line” to use religion as a pretext to spread hate and bigotry. There reportedly were fewer online comments using sectarian rhetoric following the King’s statement.

Converts from Islam to Christianity reported continued social ostracism, threats, and physical and verbal abuse, including beatings, insults, and intimidation, from their families and from religious leaders, along with government surveillance. Some converts from Islam to Christianity reported they continued to worship in secret because of the social stigma they continued to face as converts. Church leaders continued to report incidents of domestic violence and discrimination against religious converts and individuals in interfaith romantic relationships. Individuals in interfaith romantic relationships continued to report ostracism and, in some cases, feuds among family members and violence toward the individuals involved.

Following a car crash in July in which a Muslim teenager and a Christian teenager were killed, citizens debated on social media whether Islam permitted prayers for a deceased non-Muslim. The country’s Grand Mufti issued a fatwa stating Muslims were permitted to offer their condolences to non-Muslims, and Muslims were permitted to accept condolences from non-Muslims and to express their grief with non-Muslims.

Editorial cartoons, articles, postings on social media, and public statements by politicians continued to present negative images of Jews and to conflate anti-Israel

sentiment with anti-Semitic sentiment. The government continued not to take action with regard to anti-Semitic material appearing in the media.

The Royal Center for Interfaith Studies, the Interfaith Coexistence Research Center, and the Catholic Center for Media Studies continued to sponsor initiatives promoting collaboration between religious groups. Bahais continued to be included by other religious groups in interfaith conferences, religious celebrations, and World Interfaith Harmony Week.

#### **Section IV. U.S. Government Policy**

The Ambassador and other embassy officers continued to engage with government officials at all levels, including the minister of awqaf, to raise the rights of religious minorities and the inclusion of interfaith tolerance in the new curriculum.

The Ambassador met with Muslim scholars and Christian leaders to encourage greater interfaith dialogue, the protection of the rights of religious minorities, and the promotion of interfaith tolerance in the education system. Embassy officers continued to meet frequently with representatives of religious communities, nonrecognized groups, religious converts, and interfaith institutions such as the Royal Center for Interfaith Studies, to discuss their ability to practice their religion freely.

The embassy continued its sponsorship of the participation of religious scholars, teachers, and leaders in exchange programs in the United States designed to promote religious tolerance and a better understanding of the right to practice one's faith as a fundamental human right and source of stability.