

guidance in all matters, uniting and not dividing, appeasing hearts and not deterring them, looking to the horizons of fulfillment to meet the requirements and challenges of the 21st century.

We ask God to prepare for our Islamic Nation the paths of renaissance, prosperity and advancement; to shield it from the evils of extremism and close-mindedness; to preserve its rights, sustain its glory, and uphold its dignity. What an excellent Lord is he, and what an excellent Supporter.

God Almighty says: *This is My straight path, so follow it. And follow not the [other] ways, lest you be parted from His way. This has He ordained for you, that you may be God-fearing.* (6:152-153)

And the last of our supplications is *that praise be to God, Lord of the worlds.* (10:10)

*Amman - The Hashemite Kingdom of Jordan - Ramadan  
1425 Hijri, November 2004 A.D.*

that the enemies of Islam are arousing, in a sound, intellectual manner, without weakness or agitation, and with a style that attracts the reader, the listener and the viewer; consolidating the educational structure for individual Muslims, who are confident in their knowledge and abilities, working to form the integral identity that protects against corrupting forces; interest in scientific research and working with the modern sciences upon the basis of the Islamic perspective that distinguishes between creation, life and the human being; benefiting from modern achievements in the fields of science and technology; adopting an Islamic approach for realizing the comprehensive development that is founded upon [maintaining] the delicate balance between the spiritual, economic and social dimensions [of life]; providing for human rights and basic liberties, ensuring life, dignity and security, and guaranteeing basic needs; administering the affairs of society in accordance with the principles of justice and consultation; and benefiting from the goods and mechanisms for adopting democracy that human society has presented.

Hope lies in the scholars of our Nation, that through the reality of Islam and its values they will enlighten the intellects of our youth—the ornament of our present age and the promise of our future. The scholars shield our youth from the danger of sliding down the paths of ignorance, corruption, close-minded-ness and subordination. It is our scholars who illuminate for them the paths of tolerance, moderation, and goodness, and prevent them from [falling] into the abysses of extremism and fanaticism that destroy the spirit and body.

We look to our scholars to lead us in partaking of our role and verifying our priorities, that they maybe exemplars in religion, character, conduct, and discerning enlightened speech, presenting to the nation their noble religion that brings ease [in all matters] and its practical laws in which lie the awakening and joy of the nation. Among the individuals of the nation and throughout the regions of the world, they disseminate good, peace and benevolence, through subtle knowledge, insightful wisdom and political

We realize that over history extremism has been instrumental in destroying noble achievements in great civilizations, and that the tree of civilization withers when malice takes hold and breasts are shut. In all its shapes, extremism is a stranger to Islam, which is founded upon equanimity and tolerance. No human whose heart has been illumined by God could be a radical extremist.

At the same time, we decry the campaign of brazen distortion that portrays Islam as a religion that encourages violence and institutionalizes terrorism. We call upon the international community to work earnestly to implement inter-national laws and honor the international mandates and resolutions issued by the United Nations, ensuring that all parties accept them and that they be enacted without double standards, to guarantee the return of rights to their [rightful] holders and the end of oppression. Achieving this will be a significant contribution to uprooting the causes of violence, fanaticism and extremism.

The way of this great religion that we are honored to belong to calls us to affiliate with and participate in modern society, and to contribute to its elevation and progress, helping one another with every faculty [to achieve] good and to comprehend, desiring justice for all peoples, while faithfully proclaiming the truth [of our religion], and sincerely expressing the soundness of our faith and beliefs—all of which are founded upon God’s call for coexistence and piety. [We are called] to work toward renewing our civilization, based upon the guidance of religion, and following upon established practical intellectual policies.

The primary components of these policies comprise developing methods for preparing preachers, with the goal of ensuring that they realize the spirit of Islam and its methodology for structuring human life, as well as providing them with knowledge of contemporary culture, so that they are able to interact with their communities on the basis of awareness and insight: *Say, ‘This is my way. I, and those who follow me, call for God with insight.’* (12:108); taking advantage of the communication revolution to refute the doubts

are not particular to one people; truly they are a phenomenon that every people, every race and every religion has known.

We denounce and condemn extremism, radicalism and fanaticism today, just as our forefathers tirelessly denounced and opposed them throughout Islamic history. They are the ones who affirmed, as do we, the firm and unshakeable understanding that Islam is a religion of [noble] character traits in both its ends and means; a religion that strives for the good of the people, their happiness in this life and the next; and a religion that can only be defended in ways that are ethical; and the ends do not justify the means in this religion.

The source of relations between Muslims and others is peace; for there is no fighting [permitted] when there is no aggression. Even then, [it must be done with] benevolence, justice and virtue: *God does not prevent you, as regards those who do not fight you in religion's [cause], nor drive you from your homes, from dealing kindly and justly with them: truly God loves the just; (60:8) Then if they cease, let there be no aggression, save against the oppressors. (2:193)*

On religious and moral grounds, we denounce the contemporary concept of terrorism that is associated with wrongful practices, whatever their source and form may be. Such acts are represented by aggression against human life in an oppressive form that transgresses the rulings of God, frightening those who are secure, violating peaceful civilians, finishing off the wounded, and killing prisoners; and they employ unethical means, such as destroying buildings and ransacking cities: *Do not kill the soul that God has made sacrosanct, save for justice. (6:151)*

We condemn these practices and believe that resisting oppression and confirming justice should be a legitimate undertaking through legitimate means. We call on the people to take the necessary steps to achieve the strength and steadfastness for building identity and preserving rights.

Islam recognizes the noble station of [human] life, so there is to be no fighting against non-combatants, and no assault upon civilians and their properties, children at their mothers' bosom, students in their schools, nor upon elderly men and women. Assault upon the life of a human being, be it murder, injury or threat, is an assault upon the right to life among all human beings. It is among the gravest of sins; for human life is the basis for the prosperity of humanity: *Whoever kills a soul for other than slaying a soul or corruption upon the earth it is as if he has killed the whole of humanity, and whoever saves a life, it is as if has revived the whole of humanity.* (5:32)

The primordial religion of Islam is founded upon equanimity, balance, moderation, and facilitation: *Thus have we made of you a middle nation that you might be witnesses over the people, and the Messenger a witness over yourselves.* (2:143) The Prophet Muhammad—peace and blessings upon him—said: 'Facilitate and do not make difficult, bear good tidings and do not deter.' Islam has provided the foundation for the knowledge, reflection and contemplation that has enabled the creation of this deep-rooted civilization that was a crucial link by which the West arrived at the gates of modern knowledge, and in whose accomplishments non-Muslims participated, as a consequence of its being a comprehensive human civilization.

No day has passed but that this religion has been at war against extremism, radicalism and fanaticism, for they veil the intellect from foreseeing negative consequences [of one's actions]. Such blind impetuosity falls outside the human regulations pertaining to religion, reason and character. They are not from the true character of the tolerant, accepting Muslim.

Islam rejects extremism, radicalism and fanaticism—just as all noble, heavenly religions reject them—considering them as recalcitrant ways and forms of injustice. Furthermore, it is not a trait that characterizes a particular nation; it is an aberration that has been experienced by all nations, races, and religions. They

*It is by some Mercy of God that you were gentle to them. Were you severe—cruel-hearted—they would have broken away from you. So pardon them and ask forgiveness for them and consult with them in the conduct of affairs. And when you are resolved, put your trust in God; truly God loves those who trust [in Him]. (3:i59)*

Islam has made clear that the goal of its message is realizing mercy and good for all people. The Transcendent has said, *We did not send you [Muhammad] but out of mercy for all creatures. (21:107)* And the Prophet Muhammad—blessings and peace upon Him—said, ‘The Merciful has mercy upon those who are merciful, be merciful to those on earth, He who is in heaven will be merciful unto you.’

Islam calls for treating others as one desires to be treated. It urges the tolerance and forgiveness that express the nobility of the human being: *The recompense for an evil is an evil equal thereto, but who forgives and reconciles, his recompense is from God. (42:40)* *Good and evil are not equal. Repel with what is most virtuous. Then he between whom and you there is enmity will be as if he were an intimate friend. (41:34)*

Islam confirms the principle of justice in interacting with others, safeguarding their rights, and confirms that one must not deny people their possessions: *And let not the hatred of others make you swerve to wrong and depart from justice. Be just: that is closer to piety; (5:8)* *God commands you to return trusts to their owners, and if you judge between people, you shall judge with justice; (4:58)* *So give [full] measure and [full] weight and do not deny the people their goods, and work no corruption in the land, after it has been set right. (7:85)*

Islam requires respect for pledges and covenants, and adhering to what has been specified; and it forbids treachery and treason: *Fulfill the covenant of God when you have entered into it, and break not oaths after they have been confirmed and you have made God your surety; truly God knows what you do. (16:91)*

good of humanity, whose foundation is the oneness of the human species, and that people are equal in rights and obligations, peace and justice, realizing comprehensive security, mutual social responsibility, being good to one's neighbor, protecting belongings and property, honoring pledges, and more.

Together, these are principles that provide common ground for the followers of religions and [different] groups of people. That is because the origin of divine religions is one, and Muslims believe in all Messengers of God and do not differentiate between any of them. Denying the message of any one of them is a deviation from Islam. This establishes a wide platform for the believers of [different] religions to meet the other upon common ground, for the service of human society, without encroaching upon creedal distinctions or upon intellectual freedom. For all of this we base ourselves upon His saying:

*The messenger believes in what has been revealed unto him from his Lord as do the believers. Each one believes in God and His angels and His scriptures and His messengers. We make no distinction between any of His messengers—and they say: 'We hear, and we obey. [Grant us] Your forgiveness, our Lord. Unto You is the journeying,' (2:285)*

Islam honors every human being, regardless of his color, race or religion: *We have honored the sons of Adam, provided them transport on land and sea, sustained them with good things, and conferred on them special favors above a great part of our creation. (17:70)*

Islam also affirms that the way of calling [others] to God is founded upon kindness and gentleness: *Call to the path of your Lord with wisdom and a beautiful exhortation, and debate with them in that which is most beautiful (ahsan). (16:125)* Furthermore, it shuns cruelty and violence in how one faces and addresses [others]:

This magnanimous message that the Originator—great is His power—revealed to the unlettered Prophet Muhammad—God’s blessings and peace upon him, and that was carried by his successors and the members of his household after him, is an address of brotherhood, humanity and a religion that encompasses all human activity. It states the truth directly, commands what is right, forbids what is wrong, honors the human being, and accepts others.

The Hashemite Kingdom of Jordan has embraced the path of promoting the true luminous image of Islam, halting the accusations against it and repelling the attacks upon it. This is in accordance with the inherited spiritual and historical responsibility carried by the Hashemite monarchy, honored as direct descendants of the Prophet, the Messenger of God—peace and blessings upon him—who carried the message. For five decades, his late Majesty King Hussein Bin Talal—God rest his soul—demonstrated this way with the vigorous effort that he exerted. Since the day he took the flag, His Majesty King Abdullah II has continued this effort, with resolution and determination, as a service to Islam, fortifying the solidarity of 1.2 billion Muslims who comprise one fifth of humanity, preventing their marginalization or extrication from the movement of human society, and affirming their role in building human civilization and participating in its progress during our present age.

Islam is founded upon basic principles, the fundamentals are attesting to the unity of God (*tawhid Allah*); belief in the message of His Prophet; continuous connection with the Creator through ritual prayer (*salat*); training and rectifying the soul through the fast of Ramadan; safeguarding one another by paying the alms tax (*zakat*); the unity of the people through the annual pilgrimage (*ihajj*) to God’s Sanctified House, [performed] by those who are able; and [observing] His rulings that regulate human behavior in all its dimensions. Over history these [basic principles] have formed a strong and cohesive nation and a great civilization. They bear witness to noble principles and values that verify the

*In the Name of God, the Merciful, the Compassionate.*

*Peace and blessings upon His chosen Prophet, and upon his household, his noble blessed companions, and upon all the messengers and prophets.*

God Almighty has said: *O humankind! We created you from a male and female, and made you into peoples and tribes that you may know each other. Truly the most honored of you before God is the most pious of you. (49:13)*

This is a declaration to our brethren in the lands of Islam and throughout the world that Amman, the capital of the Hashemite Kingdom of Jordan, is proud to issue during the blessed month of Ramadan *in which the Qur'an descended as guidance to humankind and as clarifications for guidance and discernment. (2:185)*

In this declaration we speak frankly to the [Islamic] nation, at this difficult juncture in its history, regarding the perils that beset it. We are aware of the challenges confronting the nation, threatening its identity, assailing its tenets (*kalima*), and working to distort its religion and harm what is sacred to it. Today the magnanimous message of Islam faces a vicious attack from those who through distortion and fabrication try to portray Islam as an enemy to them. It is also under attack from some who claim affiliation with Islam and commit irresponsible acts in its name.



# **The Amman Message**



consistent with the Ash'ari school of the Sunnis: that man's actions are created by God in the sense that it is only by God's power and will that actions exist, but the actions of an individual are earned by that individual (that is, each individual is responsible for his own actions). [...] Where the Ibadiyya particularly differentiate and perhaps depart from the Khawarij lies in their views regarding a Muslim who has committed a major sin without repentance. The Ibadiyya adopt a more moderate position, distinguishing between two types of *kuffar* (unbelief), *kuffar ni'ma* (the rejection of God's order or ingratitude toward God's bounties) and the more severe *kuffar shirk* (polytheism). As such, those who fall into the former category are still considered to be among the believing monotheists (contrary to the Khawarij belief that they are disbelievers or polytheists). [...] The Ibadiyya have generally dissociated themselves from the Khawarij (priding themselves on what they consider to be a long history of moderation and tolerance—characteristics not commonly associated with the Khawarij) and prefer to be identified among the Sunni orthodoxy. They have generally coexisted peacefully, both socially as well as politically, with non-Ibadi Muslims, and have been inclusive in many areas of religious practice, including prayer, marriage, and inheritance.

[Reference: *Oxford Encyclopedia of the Modern World*; link: <http://www.answers.com/topic/khawarij-and-ibadiyya>]

[Translator's note]

76. Refer to the investigative report by Mohammad Abu Rumman “*Al-Tash'yi' al-Siyasi Thahira Taghthiha Intisarat Hezbollah*” (“Political Shiism: A Phenomenon Nurtured by Hezbollah's Victories”) in al-Ghad daily Jordanian newspaper;

73. Refer to endnote 4

74. **Zaidiyya, Zaidism or Zaydism** (Arabic: الزيدية *az-zaydiyya*, adjective form **Zaidi** or **Zaydi**) is a Shi'a madhhab (sect, school) named after the Imam Zayd ibn Aali. Followers of the Zaidi fiqh are called Zaidis (or occasionally, **Fivers** by Sunnis). The Zaidis, Twelvers and Ismailis recognize the same first four Imams, however, the Zaidis recognise Zayd ibn Ali - not his brother Muhammad al-Baqir - as the "Fifth Imam". After Zayd ibn Ali, the Zaidi recognize other descendants of Hasan ibn Ali or Husayn ibn Ali to be Imams. Other well known Zaidi imams in history were Yahya ibn Zayd, Muhammad al Nafs az-Zakiyah and Ibrahim ibn Abdullah. In matters of law or fiqh, the Zaidis follow Zaid ibn Ali's teachings which are documented in his book *Majmu'l Fiqh* (in Arabic: *مجموع الفقه*). The Zaidi is similar to the Hanafi school of jurisprudence. In matters of theology, the Zaidis are close to the Mu'tazili school, but they are not Mu'tazilite, since there are a few issues between both schools, most notably the Zaidi doctrine of the imamah, that are rejected by Mu'tazilites. Of the Shias, Zaydis are the most similar to Sunnis and Zaydis utilize the jurisprudential tradition of Abu Hanifa. Since Zaydi shares similar doctrines and jurisprudential opinions with Sunnis, Zaydis are even described by some analysts as the *fifth school of Sunni Islam*. [Gathered from more than one source; references: *Islamic dynasties of the Arab East: state and civilization during the later medieval times* by Abdul Ali, M.D. Publications Pvt. Ltd., 1996, p98; [<http://www.yemenincanda.ca/map.php>]; [<http://www.library.uu.nl/wesp/populstat/Asia/yemeng.htm>]; [<http://lexicorient.com/e.o/zayyidis.htm>]; [Article by Sayyid 'Ali ibn 'Ali Al-Zaidi, A short History of the Yemenite Shi'ites (2005); Sunni-Shi'i Schism: Less There Than Meets the Eye 1991 Page 24] [Translator's note]

75. The most moderate of Khawariji sects, the **Ibadiyya** (also Abadiyah) emerged in the late seventh century C.E. Their name is taken from Abdullah b. Ibad, the leading figure of the nascent sect, however, according to Ibadiyya sources, Ibn Ibad took instructions from Jabir ibn Zayd al-Azdi (d.711), who is considered to be the actual founder. [...] Ibadiyya doctrine concerning certain matters of creed has tended to resemble that of the Mu'tazila. Similarities include rejecting any notion of seeing God, whether literally or metaphorically and in either this life or in an afterlife; and adopting the view that the Qu'ran is created. The Ibadiyya view on the issue of free will and predestination, however, is

known as “*Bay’at al-Imam*” (Pledging Allegiance to the Imam) and was sentenced to 15 years. During his time in prison, Zarqawi emerged as a field commander, and became the ‘emir’ for the Jihadi Salafist group, originally established by al-Makdessi. In 1999, he was released from prison by a royal pardon. In the summer of that same year, he left to Pakistan and then continued on to Afghanistan. In early 2000, Zarqawi settled in the Herat area (in Afghanistan), where he established a training camp for Jordanians and Palestinians. The camp attracted other nationalities as well. After the attacks of September 11, 2001, he began to move between Iran, Iraq and Syria. In 2002, Zarqawi established his own Jihadi network, and with a number of his followers, planned and coordinated the assassination of an American diplomat in Amman. It was during this period that the name “Zarqawi” began to emerge. After the American occupation of Iraq in March 2003, Zarqawi began to carry out an extensive guerilla-style war in Iraq in which he employed very violent fighting tactics. Numerous Arab, foreign and Iraqi fighters joined him. A turning point in the evolution of the network took place when Sheikh Abu Anas al-Shami joined with Zarqawi. The network soon evolved into an organization known as “(*Jamaat) al-Tawhid wal-Jihad*” with Abu Anas al-Shami as the official leader of the group. In 2004, Zarqawi began to export his violence from Iraq to Jordan, when a massive operation [(attributed to “*Kataib al-Tawhid*” (the Tawhid Brigades)], targeting the Prime Ministry and the National Security and Intelligence buildings in Jordan, was thwarted. Zarqawi and his organization “*Tawhid wal-Jihad*” joined the al-Qaeda network on October 17, 2004. On November 9, 2005 Zarqawi organized a simultaneous attack on three hotels in Amman using suicide bombers. The attacks killed 60 people and injured more than 100. On June 9, 2006, an announcement was made that Zarqawi had been killed that day by way of an American airstrike.

[Reference: “The Jihadi Salafist Movement in Jordan after Zarqawi: Identity, Leadership Crisis and Obscured Vision”, by Mohammad Abu Rumman and Hassan Abu Hanieh, published by the Friedrich Ebert Stiftung Amman Office (2009)] [Translator’s note]

71. Refer to the official website of the Amman Message (2004) at the following link:

[[http://ammanmessage.com/index.php?option=com\\_content&task=view&id=16&Itemid=30](http://ammanmessage.com/index.php?option=com_content&task=view&id=16&Itemid=30)] [Translator’s note]

72. Ibid

66. **Mawlid** (*Milad an-Nabi*) (Qur'anic Arabic: مَوْلِدُ النَّبِيِّ *mawlid(u) (n-) nabiyy(i)*, "Birth of the Prophet" Standard Arabic: مولد النبي *mawlid an-nabi*, sometimes simply called in colloquial Arabic مولد, *mawlid, mevlid, mevlit, mulud, milad* among other vernacular pronunciations) is a term used to refer to the observance of the birthday of the Islamic prophet Muhammad which occurs in Rabi' al-awwal, the third month in the Islamic calendar. Muslim scholars differ on whether observing Muhammad's birthday is appropriate or not.

[<http://www.suhaibwebb.com/islam-studies/on-celebrating-the-prophet%E2%80%99s-birthday-sa-sheikh-abdullah-bin-bayyah/>]

[Translator's note]

67. Refer to the draft study on "The Religious Situation in Jordan"; the Forum for Moderation in Islamic Thought and Culture in Amman

68. **Umra** is an optional Muslim pilgrimage: A lesser form of pilgrimage to Mecca that is not obligatory for Muslims - unlike the *hajj*, which can be performed at any time of year.

[Reference: [http://encarta.msn.com/dictionary\\_70170666/umrah.html](http://encarta.msn.com/dictionary_70170666/umrah.html)]

[Translator's note]

69. Refer to the draft study on "The Religious Situation in Jordan"; the Forum for Moderation in Islamic Thought and Culture in Amman

70. **Abu Musab Zarqawi**'s real name is Ahmad Fadil Nazzal al-Khalayleh. He was born in the city of Zarqa, Jordan, on October 20, 1966, and belonged to the Khalayleh clan, which is one of the Bani Hassan tribes. He left school in the 11<sup>th</sup> grade and worked as an employee in the Zarqa Municipality in 1983. In 1984, he entered the Jordanian Army to do his two-year mandatory military service; during this time, he fell into a phase of personal imbalance and recklessness, after which he became devoutly religious. In 1989, he left intending for Afghanistan via Peshawar, Pakistan to join the Jihad against the Soviets, who actually withdrew from Afghanistan prior to Zarqawi's arrival. While in Peshawar, Zarqawi met Abu Mohammad al-Makdessi, and worked for a while at the "*al-Bunyan al-Marsous*" magazine. In Afghanistan, Zarqawi underwent military training in several training camps and in particular, the "Sada" training camp. He returned to Jordan in early 1993, where he met al-Makdessi again. The two worked together to promote the calling (*da'wa*) to Jihadi Salafism. He was arrested for belonging to a group

56. Ibid.

57. Ibid.

58. A **Mufti** (مفتي, Turkish: “müftü”) is a Sunni Islamic scholar who is an interpreter or expounder of Islamic law (*Sharia*). In religious administrative terms, a mufti is roughly equivalent to a deacon to a Sunni population. [<http://en.wikipedia.org/wiki/Mufti>] [Translator’s note]

59. Taken from the Oxford Islamic Studies Online website, refer to the following link:  
[[www.oxfordislamicstudies.com/article/opr/t125/e978](http://www.oxfordislamicstudies.com/article/opr/t125/e978)] [Translator’s nte]

60. See the Department of Ifta’s website on the following link:  
[<http://www.aliftaa.jo/index.php/ar/pages/view/id/7>]

61. Refer back to endnote 26

62. See the Department of Ifta’s website on the following link:  
[<http://www.aliftaa.jo/index.php/ar/pages/view/id/7>]

63. Ibid; on the following link:  
[<http://www.aliftaa.jo/index.php/ar/fatwa/show/id/919>]

64. See the translation of these, found on the Department of *Ifta*’s website on the following link:  
[<http://www.aliftaa.jo/index.php/ar/pages/view/id/7>]

65. **Isra and Mi’raj** (also known as *Isra Me’raj*, *Israa and Mi’raaj*, *Laylat Al-Isra wa Al-Miraj*, *Lailat al Miraj*) or the **Night Journey and Ascension to Heaven** marks the night that the Prophet Mohammad traveled from Mecca to Jerusalem, ascended to heaven and returned. is observed on the 27th day of the month of Rajab, the seventh month in the Islamic calendar. This event marks the night that Allah (God) took Mohammad (also known as Mohamed or Muhammed) on a journey from Mecca to Jerusalem and then to heaven.  
[Quick facts taken from: <http://www.timeanddate.com/holidays/philippines/lailatul-isra-wal-mi-raj>]  
[Translator’s note]

47. **Hajj** in Islam, is the pilgrimage to the holy city of Mecca in Saudi Arabia, which every adult Muslim of either sex must make at least once in his or her lifetime; the *hajj* is the fifth of the fundamental Muslim practices and institutions known as the Five Pillars of Islam. The pilgrimage rite begins on the 7th day of Dhù al-hijjah (the last month of the Islamic year) and ends on the 12th day.

[Reference: <http://britannica.com/EBchecked/topic/252050/hajj>]

[Translators note]

48. Refer to the website of the Ministry of Awqaf and Religious Affairs to see more on the establishment of the ministry and the history of its development, on the following link (available in Arabic):

[[http://www.awqaf.gov.jo/pages.php?menu\\_id=10&local\\_type=0&local\\_id=0&local\\_details=0&local\\_details1=0&localsite\\_branchname=Awqaf](http://www.awqaf.gov.jo/pages.php?menu_id=10&local_type=0&local_id=0&local_details=0&local_details1=0&localsite_branchname=Awqaf)]

49. A **muezzin** (Turkish müezzin from Arabic: مؤذن mu'ain), or muzim, is a chosen person at the mosque who leads the call (*adhan*) to Friday service and the five daily prayers (*salat*) from one of the mosque's minarets (in most modern mosques, electronic amplification aids the *muezzins*).

[Definition taken from <http://en.wikipedia.org/wiki/Muezzin>]

[Translator's note]

50. Refer to the draft study on "The Religious Situation in Jordan"; the Forum for Moderation in Islamic Thought and Culture in Amman

51. Refer to the text of these directives as listed on the Ministry's website on the following link:

[[http://www.awqaf.gov.jo/pages.php?menu\\_id=151](http://www.awqaf.gov.jo/pages.php?menu_id=151)]

52. Refer to the draft study on "The Religious Situation in Jordan"; the Forum for Moderation in Islamic Thought and Culture in Amman

53. Mohammad al-Najjar, [aljazeera.net](http://aljazeera.net); 4/9/2006

54. Refer to Rana al-Sabbagh, "Al-Urdun: Awdeh illa Murba'a al-Azma ma' al Islamiyyin" ("Jordan: A Return to Square One with the Islamists"; available in Arabic, the *al-Hayat* daily newspaper, London, 3/2/2009.

55. Refer to the draft study on "The Religious Situation in Jordan"; the Forum for Moderation in Islamic Thought and Culture in Amman

Abu Rumman's "Jordanian Salafism: A Strategy for the 'Islamization of Society' and an Obscure Relationship with the State" (2010), "The Muslim Brotherhood in the Jordanian Parliamentary Elections 2007" (2008); and Mohammad Abu Rumman and Hassan Abu Hanieh's "The Jihadi Salafist Movement in Jordan after Zarqawi: Identity, Leadership Crisis and Obscured Vision"; and Hassan Abu Hanieh's "Women and Politics From the Perspective of Islamic Movements in Jordan" (2008), all these studies published by the Friedrich Ebert Stiftung Amman Office. [Translator's note]

41. **Zakat** (زكاة; sometimes also written as Zakah or Zekat) is the fourth pillar of Islam, and represents almsgiving as an act of worship; «the *zakat* is earmarked for the poor and disabled»; this "alms giving" is the giving of a small percentage of one's possessions (surplus wealth) to charity, generally to the poor and needy and is an Islamic system of tithing and alms. Compiled from different definitions of **zakat** on the world wide web [[http://www.google.com/search?hl=en&defl=en&q=define:zakat&sa=X&ei=5ngXTZPiJM\\_2sga7h8jhBA&sqi=2&ved=0CBcQkAE](http://www.google.com/search?hl=en&defl=en&q=define:zakat&sa=X&ei=5ngXTZPiJM_2sga7h8jhBA&sqi=2&ved=0CBcQkAE)] [Translator's note]

42. Taken directly from the English translation of the constitution of the Hashemite Kingdom of Jordan as found in the library on the official website of the Office of King Hussein I [[http://www.kinghussein.gov.jo/constitution\\_jo.html](http://www.kinghussein.gov.jo/constitution_jo.html)] [Translator's note]

43. Taken from the draft study on "The Religious Situation in Jordan", currently being conducted by the Forum for Moderation in Islamic Thought and Culture in Amman

44. See the text of this draft law on the department's website, available in Arabic at the following link: [[http://www.sjd.gov.jo/Personal\\_status\\_law.pdf](http://www.sjd.gov.jo/Personal_status_law.pdf)]

45. Referenced from "A list of Catholic Scripture verses that defend Catholic doctrines" found on the following link: [[http://www.askacatholic.com/holyquotes/documents/\\_all\\_catholic\\_verses.htm#Marriage](http://www.askacatholic.com/holyquotes/documents/_all_catholic_verses.htm#Marriage)]

46. Refer to: "*Hawl al-Tawaif al Misihya*" ("The Christian Sects") in the draft study on "The Religious Situation in Jordan", currently being conducted by the Forum for Moderation in Islamic Thought and Culture in Amman

ignorance (*al-Jahiliyya*). Unsurprisingly, takfiris often support militancy against their regimes.

[Reference: *Perspectives on World History and Current Events (PWHCE): The Middle East Project*; <http://www.pwhce.org/takfiri.html>]  
[Translator's note]

37. For more on these scholar, refer to Mohammad Abu Rumman and Hassan Abu Hanieh's "Jordanian Salafism: A Strategy for the 'Islamization of Society' and an Obscure Relationship with the State" (2010); Mohammad Abu Rumman and Hassan Abu Hanieh's "The Jihadi Salafist Movement in Jordan after Zarqawi: Identity, Leadership Crisis and Obscured Vision", published by the Friedrich Ebert Stiftung Amman Office.

38. Referenced from:

[[http://www.whyislam.org/forum/forum\\_posts.asp?tid=5001](http://www.whyislam.org/forum/forum_posts.asp?tid=5001).]  
[Translator's note]

39. Refer to Mohammad Suleiman, "*Al-Ahbash fil Urdun: Al-Sira al-Siyasiyya wal Dalalat*", (The Habashis in Jordan: Their Political Course and Implications"), al-'Asir Online Magazine, 2/26/2002, which can be found in Arabic on the following link:

[<http://www.alasr.ws/index.cfm?method=home.con&contentID=2563>]

40. **Wahhabism** has the goal of calling (*da'wa*) people to restore the "real" meaning of *tawhid* (oneness of God or monotheism) and to disregard and deconstruct 'traditional' disciplines and practices that evolved in Islamic history such as theology and jurisprudence and the traditions of visiting tombs and shrines of venerated individuals. Such disciplines and practices are classified as *shirk* (polytheism), *kufr* (unbelief in God), *ridda* (apostasy), and *bida'a* (innovations). Its founder Mohammad Bin Abdel Wahhab (1703-1792) forced his followers to adhere to a very strict and literal interpretation of "monotheism" and to fight *shirk*. His followers, who called themselves *al-muwahhidin* (the monotheists), are labeled by others as Wahhabis. While *tawhid* is the core concept of Islam, Abdel Wahhab argues that the recognition of a unique creator without a partner is insufficient for correct belief and must be joined with 'pure' Islamic behavior. Following in the footsteps of Ibn Taymiyya [...] [Reference: "*Wahhabism, Salafism and Islamism: Who is the Enemy?*" by Professor Ahmad Moussalli, American University of Beirut, Conflicts Forum: Beirut - London - Washington, January 2009]. refer to Mohammad

34. **Hizb al-Wasat** (or The Muslim Center Party) is considered a relatively nascent party as it was established in 2001. The rationale for setting up the party was developed in the framework of an attempt to construct a parallel line of political Islam to that of the Muslim Brotherhood. The reasoning behind establishing the party was born of certain objections to and reservations about the way the Muslim Brotherhood and the Islamic Action Front (IAF) work, and an attempt to build a moderate or center political party in Jordan that practices a political Islam but does not involve missionary work or advocacy at the grassroots level.

[Reference: “Women and Politics: From the Perspective of Islamic Movements in Jordan”, By Hassan Abu Hanieh, published by the Friedrich Ebert Stiftung, Amman Office.] [Translators note]

35. For more on each of the parties or movements mentioned in this paragraph, refer to Mohammad Abu Rumman’s “Jordanian Salafism: A Strategy for the ‘Islamization of Society’ and an Obscure Relationship with the State” (2010), “The Muslim Brotherhood in the Jordanian Parliamentary Elections 2007” (2008); and Mohammad Abu Rumman and Hassan Abu Hanieh’s “The Jihadi Salafist Movement in Jordan after Zarqawi: Identity, Leadership Crisis and Obscured Vision”; and Hassan Abu Hanieh’s “Women and Politics From the Perspective of Islamic Movements in Jordan” (2008); all studies published by the Friedrich Ebert Stiftung Amman Office.

36. **Takfir** means excommunication – or declaring a person or group of people infidels or unbelievers (or non-Muslim). In mainstream Sunni Islam, it is considered wrong to engage in *takfir*. Sunni Islam has a general reluctance to spread *fitna* (sow dissension) or ‘backbite’. Furthermore, to declare *takfir* is to pre-empt Allah’s judgment. The Muslim who considers another’s actions to be wrong may say so, but will stop far short of declaring that person an apostate from the faith. Similarly, there is a reluctance to resist a leader, who prays and does not restrict the observance of the faith. Even qualified mainstream religious scholars are reluctant to declare *takfir* except in particularly egregious cases. Some radical groups have broken this taboo. And, **takfiri** refers to those who excommunicate, or ‘declare *kufir*’, mainstream Muslim individuals, societies and leaders. Although nominally Sunni *takfiris* reject major aspects of mainstream Sunni religion, they are also apt to reject components of society, culture and law in Muslim countries, which they consider to have slipped back into a pre-Islamic state of pagan

“Jordanian Salafism: A Strategy for the “Islamization of Society” and an Obscure Relationship with the State” (2010) and Hassan Abu Hanieh’s “Women and Politics From the Perspective of Islamic Movements in Jordan” (2008); both studies published by the Friedrich Ebert Stiftung Amman Office. [Translator’s note]

29. Refer to the investigative report by Mohammad Abu Rumman “*Al-Tash’yi’ al-Siyasi Thahira Taghthiha Intisarat Hezbollah*” (“Political Shiism: A Phenomenon Nurtured by Hezbollah’s Victories”) in al-Ghad daily Jordanian newspaper; available in Arabic; 10/4/2006

30. See the second part of the investigative report from the previous reference, “*Al-Tash’yi’ al-Siyasi Thahira Taghthiha Intisarat Hezbollah*” (“Political Shiism: A Phenomenon Nurtured by Hezbollah’s Victories”) in al-Ghad daily Jordanian newspaper; available in Arabic; 10/5/2006

31. Refer to Rana al-Sabbagh’s “*Bin Laden Ith Uhadid al-Urdun min Jadid?*” (“Bin Laden Threatens Jordan Once Again?”); published in the al-Arab al-Youm Jordanian daily newspaper; available in Arabic; 3/22/2009

32. **Jamaa’ah** or **jamaa’at** means ‘groups’ in Arabic, ‘**tabligh**’ and ‘**da’wa**’ are terms that both indicate the meaning behind a ‘religious calling’ ‘missionary’ or ‘invocation’ in Arabic; for more information on the Jamaa’at al-Tabligh refer to “Women and Politics: From the Perspective of Islamic Movements in Jordan, by Hassan Abu Hanieh published by the Friedrich Ebert Stiftung, Amman Office. [Translators note]

33. **Hizb ut-Tahrir al-Islami** (Islamic Party of Liberation) is a radical Islamic movement that seeks ‘implementation of pure Islamic doctrine’ and the creation of an Islamic caliphate in Central Asia. The group’s aim is to resume the Islamic way of life and to convey the Islamic *da’wa* to the world. The ultimate goal of this secretive sectarian group is to unite the entire *umma*, or Islamic world community, into a single caliphate. The aim is to bring the Muslims back to living an Islamic way of life in ‘*Dar al-Islam*’ [the land where the rules of Islam are being implemented, as opposed to the non-Islamic world] and in an Islamic society such that all life’s affairs in society are administered according to the Sharia rules. [Reference: <http://www.globalsecurity.org/military/world/para/hizb-ut-tahrir.htm>] [Translator’s note]

Central Asia passed to the Shi'a as a result of the rise of the Safawids in 1501. [Reference:<http://philtar.ucsm.ac.uk/encyclopedia/islam/sunni/shaf.html>] [Translator's note]

27. **Ash'ariyya** theology represents a reaction against the extreme rationalism of the Mu'tazilah. It holds that human reason should fall under the authority of divine revelation. Human reason is incapable of discerning good and evil; the goodness or evil of a particular action depends upon God's declaring it to be so. Humanity can only acquire religious truths through revelation. A second aspect of Ash'ariyya theology concerned the nature of the divine attributes. Contrary to the Mu'tazilites, who understood Qur'anic references to God's physical attributes metaphorically, Ash'ari theology argued for the veracity of these attributes while rejecting all crudely anthropomorphic conceptions of God. Thirdly, contrary to Mu'tazilah theology, Ash'ariyya taught that the Qur'an was eternal and, therefore, uncreated. Human actions, however, are entirely dependent upon God's providing the means and power to act. This teaching had the purpose of preserving the doctrine of divine omnipotence, but gradually led to the formation of a deterministic outlook. The systematization of Sunni theology in the tenth century was done in reaction to the emergence of heterodox schismatic groups in previous centuries, particularly Mu'tazilah. The founder of Ash'ariyya, Abu al-Hasan (873-935), was formerly a Mu'tazilite. He wrote a number of important books which became the foundation of Ash'arite theology such as the *Kitab al-Ibanah* (The Book of Elucidations) and also an extensive work on the views of various Islamic schools and sects called *Maqalat al-Islamiyyin* (Doctrines of the Muslims). Another major figure in the development of Ash'arite theology was the Sufi theologian and jurist al-Ghazzali (1058-1111). Through al-Ghazzali and other prominent theologians - such as Al-Baqillani (d.1013), al-Baghdadi (d.1038), al-Djuwayni (d.1085) and al-Shahrastani (d.1153) - Ashariyya spread throughout the Sunni Islamic world. It is now dominant in Iraq, Syria, Egypt and Northwest Africa, and has a strong presence in Central Asia and Anatolia and to a lesser extent in India and Pakistan. Along with the Maturidiyyah school of theology, Ashariyya remains the dominant source of theology in the Sunni world.

[Reference: <http://philtar.ucsm.ac.uk/encyclopedia/islam/sunni/ash.html>] [Translator's note]

28. For more on Salafism and Salafist movements, and particularly in Jordan, refer to Mohammad Abu Rumman and Hassan Abu Hanieh's

to enlarge the *umma* – or what modern revivalists call the “Muslim Nation” – *da’wa* is also an inherently political activity for Salafists. This is because the latter define Islam as a comprehensive system, regulating not only the private sphere and the relations between a believer and God, but also the public sphere and politics. [...] [Reference: “*Da’wa and the Islamist Revival in the West*”, by Nina Wiedl, published on Monday, December 14, 2009 in the article: “*Current Trends in Islamist Ideology*”; Vol.9; *The Center on Islam, Democracy and the Future of the Muslim World*; found on the following link:

[http://www.currenttrends.org/printVersion/print\\_pub.asp?pubID=116](http://www.currenttrends.org/printVersion/print_pub.asp?pubID=116)

[Translators note]

24. For more on Salafism and Salafist movements, and particularly in Jordan, refer to Mohammad Abu Rumman and Hassan Abu Hanieh’s “Jordanian Salafism: A Strategy for the “Islamization of Society” and an Obscure Relationship with the State” (2010) and Hassan Abu Hanieh’s “Women and Politics From the Perspective of Islamic Movements in Jordan” (2008); both studies published by the Friedrich Ebert Stiftung Amman Office. [Translator’s note]

25. Refer back to endnote 11 [Translator’s note]

26. **Shafi’iyyah** was the third school of Islamic jurisprudence. According to the Shafi’i school the paramount sources of legal authority are the Qur’an and the Sunnah. Of less authority are the *Ijma’* of the community and thought of scholars (*Ijtihad*) exercised through *qiyas*. The scholar must interpret the ambiguous passages of the Qur’an according to the consensus of the Muslims, and if there is no consensus, according to *qiyas*. The Shafi’iyyah school of Islamic law was named after Muhammad ibn Idris al-Shafi’i (767-819). He belonged originally to the school of Medina and was also a pupil of Malik ibn Anas (d.795), the founder of Malikiyyah. However, he came to believe in the overriding authority of the traditions from the Prophet and identified them with the Sunnah. Baghdad and Cairo were the chief centres of the Shafi’iyyah. From these two cities, Shafi’i teaching spread into various parts of the Islamic world. In the tenth century, Mecca and Medina came to be regarded as the school’s chief centres outside of Egypt. In the centuries preceding the emergence of the Ottoman Empire, the Shafi’is had acquired supremacy in the central lands of Islam. It was only under the Ottoman sultans at the beginning of the sixteenth century that the Shafi’i were replaced by the Hanafites, who were given judicial authority in Constantinople, while

referenced on [http://web.youngmuslims.ca/online\\_library/companions\\_of\\_the\\_prophet/ubaydah.html](http://web.youngmuslims.ca/online_library/companions_of_the_prophet/ubaydah.html)] [Translator's note]

22. For more in depth analyses on the relationship between the Jordanian state and the Organization of the Muslim Brotherhood, refer to Mohammad Abu Rumman's "The Muslim Brotherhood in the Jordanian Parliamentary Elections 2007" and "Jordanian Policy and the Hamas Challenge: Exploring Gray Areas and Bridging the Gap in Mutual Interests", and other volumes of the Political Islam series published by the Friedrich Ebert Stiftung, Amman Office; 2007-2011.

[Translator's note]

23. **Da'wa** means "invitation" or "call to Islam". It is often translated to mean "Islamic mission" although, both in theory and in practice, *da'wa* is different in its aims and methods from, for example, the contemporary Christian comprehension of a religious mission. Many Islamic thinkers strongly emphasize this difference. (See notation in original text referenced here). Especially for those thinkers that adhere to the broad-based Salafist ideology typical of the Muslim Brotherhood and related revivalist groups, *da'wa* is not simply a method for spreading a spiritual teaching or performing charitable works; it is also an inherently political activity, whose principal aim is Islamic reform and revival leading to the eventual establishment of an Islamic state. *Da'wa* is prescribed in the Qur'an as an obligation for all Muslims. Some Qur'anic verses describe *da'wa* as a form of religious proselytization. For instance, *Surat an-Nahl*, verse 125 enjoins Muslims to, "Invite (all) to the way of thy Lord with wisdom and beautiful preaching; and argue with them [non-Muslims] in ways that are best..." Other verses concerning the notion of *da'wa*, frequently cited by religious scholars, emphasize *da'wa*'s role in preserving and strengthening the socio-moral character of the Muslim community and its general adherence to *Sharia* law (Islamic law). *Surat al-Imran*, verses 104 and 110, speak of the Muslim communal duty (*fard kifayya*) to call the whole of mankind to Islam, and to enjoin right and forbid wrong. In addition to these verses, many Islamic thinkers also derive the obligation to engage in *da'wa* from *Surat al-Baqara*, verse 143: "Thus, We have made of you an umma justly balanced, that ye might be witnesses over the nations and the Messenger a witness over yourselves." According to a common interpretation, this Sura indicates that witnessing for and propagating Islam is the primary reason why the original Muslim *umma* (nation of Islam, or the community of all Muslims) was created. Insofar as this positive duty to spread and implement Islam through *da'wa* has also been understood by Muslims as an obligation

(ANND), 2005; page, 109;

[[http://www.idea.int/publications/dem\\_jordan/upload/Jordan\\_country\\_report\\_English.pdf](http://www.idea.int/publications/dem_jordan/upload/Jordan_country_report_English.pdf)] [Translator's note]

16. Ali al-Muhfaza, "*Al-Fikr al-Siyasi fil Urdun*" ("Political Thought in Jordan"), documents and texts 1916-1946; available in Arabic; Amman Jordanian Book Center, 1992; c 2

17. Ibrahim Gharaibeh, *Qira'a fil Ilakat bein al-Dawleh fil Dustour wal Tashria'at al-Urduniya* ("A Reading into the Relationship between Religion and the Jordanian State's Constitution and Legislation"; available in Arabic; previous reference, pp. 14-15

18. Tayseer Dhibian, "*Al Malik Abdullah Kama Iriftahou*" ("King Abdullah as I knew Him"); available in Arabic, p. 57

19. Ibid, p. 66

20. A **fatwa** is an Islamic legal opinion usually issued on matters related to everyday life; an Islamic religious ruling, a scholarly opinion on a matter of Islamic law. A *fatwa* is issued by a recognized religious authority.

[Reference: *Women and Politics: From the Perspective of Islamic Movements in Jordan*, By Hassan Abu Hanieh, published by the Friedrich Ebert Stiftung, Amman Office.] [Translators note]

21. "**Sahhabi** or "Companion of the Prophet Mohammad" **Abu Ubaydah** was described as the "*Amin*" or Custodian of Muhammad's community. His full name was Aamir ibn Abdullah ibn al-Jarrah. He was known as Abu Ubaydah. Of him Abdullah ibn Umar, one of the companions of the Prophet, said: "Three persons in the tribe of Quraysh were most prominent, had the best character and were the most modest. If they spoke to you, they would not deceive you and if you spoke to them, they would not accuse you of lying: Abu Bakr as-Siddiq, Uthman ibn Affan and Abu Ubaydah ibn al-Jarrah." Abu Ubaydah was one of the first persons to accept Islam. He became a Muslim one day after Abu Bakr. In fact, it was through Abu Bakr that he became a Muslim. Abu Bakr took him, Abdur Rahman ibn Auf, Uthman ibn Maz'un and al-Arqam ibn abi al Arqam to the Prophet, upon whom be peace, and together they declared their acceptance of the Truth. They were thus the first pillars on which the great edifice of Islam was built".

[From: *Companions of The Prophet, Vol.1*, By Abdul Wahid Hamid,

school of Basra. The privileged position which the school enjoyed under the 'Abbasid caliphate was lost with the decline of the 'Abbasid caliphate. However, the rise of the Ottoman Empire led to the revival of Hanafi fortunes. Under the Ottomans, judgment-seats were occupied by Hanafites sent from Istanbul, even in countries where the population followed another *madhhab*. Consequently, the Hanafi *madhhab* became the only authoritative code of law in the public life and official administration of justice in all the provinces of the Ottoman Empire. Even today, the Hanafi code prevails in the former Ottoman countries. It is also dominant in Central Asia and India.

[Reference: <http://philtar.ucsm.ac.uk/encyclopedia/islam/sunni/hanb.html>] [Translators note]

12. Taken directly from the English language version of the constitution of the Hashemite Kingdom of Jordan as found in the library on the official website of the Office of King Hussein I

[[http://www.kinghussein.gov.jo/constitution\\_jo.html](http://www.kinghussein.gov.jo/constitution_jo.html)] [Translator's note]

13. **Shura** Council (Arabic for "Consultative Council") represents, in early Islamic history, the board of electors that was constituted by the second caliph (head of the Muslim community), Omar I (634–644), to elect his successor. Thereafter, in Muslim states, shura variously designated a council of state, or advisers to the sovereign, a parliament (in modern times), and – in certain Arab states – a court of law with jurisdiction over claims made by citizens and public officials against the government. The word shura provides the title of the 42nd chapter of the Qur'an, in which believers are exhorted to conduct their affairs "by mutual consultation".

[Reference: <http://www.britannica.com/EBchecked/topic/542358/shura>] [Translator's note]

14. Munib Madi and Suleiman Musa, "The History of Jordan in the 20<sup>th</sup> Century", p. 208

15. On 20 February 1928, the Jordanian–British Treaty was concluded, and *Article 2* of the treaty set down a '*basic law*' for the emirate, creating state institutions and defining their prerogatives. This law was published in the *Official Gazette* on 16 April 1928, giving Emir Abdullah and his descendents executive power (article 16). [Reference: "Building Democracy in Jordan: Women's Political Participation, Political Party Life and Democratic Elections", International Institute for Democracy and Electoral Assistance (IDEA) and the Arab NGO Network for Development

5. The Twelver Shi'a, or *Ithna-'ashariya*, are numerically the largest of the Shi'ites, and exhibit most of the doctrines which became classical with the Shi'a.

[<http://www.sacred-texts.com/isl/isl/isl39.htm>] [Translator's note]

6. Refer to the Jordanian Ministry of Justice's website home page;  
[<http://eng.moj.gov.jo/>] [Translator's note]

7. Taken directly from the English translation of the constitution of the Hashemite Kingdom of Jordan as found in the library on the official website of the Office of King Hussein I

[[http://www.kinghussein.gov.jo/constitution\\_jo.html](http://www.kinghussein.gov.jo/constitution_jo.html)] [Translator's note]

8. [...] Mentioned within the Qur'an as '*diyya*', and advocated by Islam, '*diyya*' is an obligatory, non-negotiable payment of blood money used in cases of accidental killings that presents a way to defuse the revenge-perpetuated cycle of continued conflict.

[Refer to page 31 of: <http://www.fas.org/irp/agency/army/arabculture.pdf>] [Translator's note]

9. **Waqf** (singular) **Awqaf** (plural) represents (religious) endowment/s as a canonical Islamic concept, which refers to a special kind of charity given for the purposes of benevolence. The word is used for charities and gifts that have permanence and continuity, so that people can benefit from them for years, generations or even centuries. This means that Waqf endowment is made of entities from whose usefulness, yield and fruit people can benefit, while the capital asset of the entity lasts and stays for a short or long period of time, such as a lot, a construction, a well and a tree.

[Refer to: <http://www.isesco.org.ma/english/publications/WAQF/Chap3.php>] [Translator's note]

10. Taken directly from the English translation of the constitution of the Hashemite Kingdom of Jordan as found in the library on the official website of the Office of King Hussein I

[[http://www.kinghussein.gov.jo/constitution\\_jo.html](http://www.kinghussein.gov.jo/constitution_jo.html)] [Translator's note]

11. The **Hanif, Hanafiyya (Hanafi)** school is the first of the four Sunni schools of law or Islamic jurisprudence (*fiqh*). The Hanafi school of law was founded by Nu'man Abu Hanifah (d.767) in Kufa in Iraq. It derived from the bulk of the ancient school of Kufa and absorbed the ancient



## Endnotes

1. Meaning 'Commander of the Believers' or 'Commander of the Faithful'; this title was given to the Imam Ali (MPBUH) specifically by the Prophet Mohammad (MPBUH), but was later attributed to anybody who became a caliph (not by the Prophet), so there is Amir al-Mumineen Abu Bakr, Amir al-Mumineen Omar, Othman, Muawiya, Yazid, etc.

[Reference: <http://www.islamic-dictionary.com/index.php?word=amir%20al%20mumineen>] [Translator's note]

2. **Kitchen Cabinet** was a title derisively applied by President Andrew Jackson's political enemies to an informal group of advisers who were credited with exercising more influence on the president than his regular cabinet. From 1829 until 1831, when the cabinet was reorganized, the Kitchen Cabinet, or "lower cabinet", as it was often called, was especially influential. Thereafter, Jackson relied less on his informal advisers and more on regular members of the Kitchen Cabinet. Today, the term is used to define a small unofficial group of people who give advice to a political leader.

[References: <http://www.encyclopedia.com/doc/1G2-3401802258.html>; <http://dictionary.cambridge.org/define.asp?key=43830&dict=CALD>] [Translator's note]

3. Ibrahim Gharaibeh, *Qira'a fil Ilakat bein al-Dawleh fil Dustour wal Tashria'at al-Urduniya* ("A Reading into the Relationship between Religion and the Jordanian State's Constitution and Legislation"; in the book *Al-Din wal Dawlat Al-Urdun Namouthajan* ("Religion and State: The Jordanian State as a Model"), available in Arabic; Jerusalem Center for Policy Studies, First Edition, page 5

4. Taken directly from the English translation of the constitution of the Hashemite Kingdom of Jordan as found in the library on the official website of the Office of King Hussein I

[[http://www.kinghussein.gov.jo/constitution\\_jo.html](http://www.kinghussein.gov.jo/constitution_jo.html)] [Translator's note]



line, that can play an effective role, domestically and externally, and that can carry and effectively promote a defined religiously intellectual and doctrinal message characteristic of Jordan.

closer to Sufism and al-Ash'ariyya theology. Indeed, his position is incompatible with the Salafist line, even the kinds of Salafism that are considered "close" to the state. Meanwhile, the state is keen to support such Salafists for specific, major reasons, the most important of which are security considerations. Other considerations include the role the Salafists play in confronting other Islamist movements, groups and currents in Jordan, and the strong relationship these Salafists enjoy with the Kingdom of Saudi Arabia, which adopts the same Salafist line.

At the same time, there does not appear to be a significant role for speakers employed by the state's official religious institutions, except within the parameters of due diligence in administration and implementation, so that there are no deviations from official policy lines drawn for these institutions by the state.

To date, no formal council exists with the clear authority and mandate to define the broad lines of the state's religious policy and to plan the evolution and development of the state's institutions active in this domain. This absence has weakened initiatives taken towards building a clear religious message for the state, as was the case with the Amman Message, which, despite all the conferences and efforts made, failed to produce a cultural and political current that could be adopted clearly and seriously. The result of this approach and methodology in managing these institutions and in defining religious policies has led to prioritizing pragmatic, security considerations over the need for religious reform and enlightenment within society and in terms of public opinion – the kind of reform carried out by Imam Mohammad Abdu in al-Azhar University in Egypt almost 110 years ago.

The above has also led to an absence of any formal, religious authority figures, who can be seen, known and recognized as proven leaders, with a strong, authoritative presence in domestic and external forums, such as is the case with the Grand Mufti of Egypt or Sheikh al-Azhar. To date, Jordan still lacks the kind of religious leadership that is consistent with the state's official

*Mathahib al-Din*” (“Consensus Amongst Muslims in Respecting Religious Sects”).

In the last few years, the role of Prince Ghazi has expanded and his consultations are sought on all policy matters related to religion and religious institutions. He personally oversees the appointment of the heads and directors of important religious institutions, such as the minister of the Ministry of Awqaf and Islamic Affairs, the Grand Mufti of the Kingdom and the deans of Islamic colleges, faculties and institutes.

However, differences, and sometimes conflicts would emerge between the perspectives and opinions held by General Intelligence and Prince Ghazi. The Intelligence Kitchen Cabinet’s security considerations will often win over the approach that advocates intellectual openness and cultural tolerance. And, if the two approaches conflict, the priority is given to the security approach and security considerations, as was the case when it came to the matter of the (Jordanian) Shiites. In such an example, General Intelligence did not allow one of the more important religious figures close to Prince Ghazi to take on an important post at the al-Balqaa Applied University, because he had Shiite leanings. Indeed, General Intelligence would exert efforts to weaken the influence of this figure, despite the support he has from Prince Ghazi bin Mohammad.

These differences are also clearly reflected in the process of choosing heads of religious institutions. General Intelligence gives preference to persons that have good relations and open channels with the state’s intelligence services, and who are of the same mind and opinion as the intelligence services’ political and security line. On the other hand, persons recommended by Prince Ghazi are more compatible with the prince’s intellectual line and religious leanings.

The other face of this particular conflict is embodied by the prince’s ideological, religious and intellectual orientation, which is

bin Talal and Prince Hassan bin Talal, was dismissed from his post in 2001, on the pretext that he had written a critical article published in a magazine (of limited circulation!). This change in the university's administration led to a decline in the university's ability to perform and to meet the objectives of the message upon which and for which it had been founded.

Sources from among the Shiite Jordanians recall that Prince Hassan in the mid-1990s also worked towards building bridges and channels of communications with global Shiite institutions (the Khoei Foundation in London) and that preparations were being made to establish an organization for Jordanian Sunni-Shiite dialogue, under the name The Abu Dhar al-Ghafari Institute. However, the state's security services did not welcome the latter idea, which never did materialize.<sup>76</sup>

During the reign of King Abdullah II, Prince Ghazi bin Mohammad took on the task of managing religious affairs at the Royal Court. He was made responsible for the Royal Aal al-Bayt Institute (as of 2001, with the institution's internal by-laws instituted in 2007). Prince Ghazi also held the post of chairman of the board of trustees at the al-Balqaa Applied University, which included the Faculty of the Da'wa and the Fundamentals of Religion. Later, he would also sit as chairman of the board of trustees of the Islamic International University (established in 2008), where various scholarly disciplines are taught in addition to Islamic *Sharia*. Indeed, the Islamic International University is attended by a large number of international students and its administration and internal management are of an Islamic nature, with the dean also being a professor in Islamic *Sharia*.

As was the case with Prince Hassan, Prince Ghazi's focus and attention has been on the more intellectual and academic aspects of interfaith dialogue and co-existence. Indeed, Prince Ghazi holds a predominantly Sufist religious tendency and has written several essays on the subject, the most important of which are entitled "Love in the Qur'an" and "*Ijma'a al-Muslimeen 'ala Ihtiram*

and organizations do not deviate from official policy lines. For example, there is a constant link between General Intelligence and the Ministry of Awqaf and Islamic Affairs with regard to Friday sermons, preaching and instruction in the mosques and in the Qur'anic schools, as well as in the appointments of teachers to *Sharia* colleges (as is the case with other colleges).

In the meantime, another Kitchen Cabinet emerged in the 1990s that is linked to the Royal Court through the king's religious advisor, or the person in charge of managing religious affairs. Previously, this post was held by Prince Hassan bin Talal, who contributed to founding and overseeing the Royal Aal al-Bayt Institute for Islamic Thought (established in 1980) as well as the Royal Institute for Interfaith Studies (established in 1994). Prince Hassan also played a significant role in establishing the Aal al-Bayt University (in 1994).

It was clear from the seminars, lectures, interviews and meetings that Prince Hassan sponsored or participated in that his perspective and orientation on religion contributed to building the state's religious message with regard to inner-Islamic and intercultural dialogue. He also contributed to developing open relations with the Western world and to advocating humanitarian issues and matters of justice and law.

Aal al-Bayt University distinguished itself from other Jordanian universities in that it offered studies on all the Islamic sects including the four Sunni *madhabs*, the 12<sup>th</sup> Sect,<sup>73</sup> the al-Zaidiyya<sup>74</sup> sect and the Ibadiyya<sup>75</sup> sect. It also opened its doors to students from all over the Arab, Islamic and Western worlds. It established several multidisciplinary study institutes to help bolster and reinforce intercultural dialogue, and cultural and religious coexistence and tolerance. This was all notwithstanding the fact that the university combined its faculty of law with that of the Islamic *Sharia*.

However, the university would not maintain this track for too long. The university's administration was changed and Dr. Mohammad Adnan al-Bakhit, who had been close to the late King Hussein

With that, and despite the great attention and repeated talk about the “cultural approach”, about the Amman Message, and about building a “social immunity” to extremist and radical thinking, much of this has not been clearly reflected in the state’s communication policies, nor in tangible steps taken to influence the prevailing “social and popular culture” in Jordan. Indeed, these efforts have not been able to go beyond a limited audience and a transient influence, which is in direct contrast with the thoughts advocated by political Islam (the line taken by the Muslim Brotherhood) and by the more radical thinking (such as that which is promoted by the Jihadi Salafists), which have won over large segments of the Jordanian popular base. Indeed, the Amman Message and calls for moderate thinking have not been transformed into any real social trends or currents, as is the case with the other modes of Islamist thinking.

## **Two Kitchen Cabinets: Security and Political**

There is not one specific management representing a “Kitchen Cabinet” for official religious policy, or that plans for the state’s religious institutions, and manages policies related to the religious domain. There was an attempt to set one up in 2007, when the king’s religious advisor, Prince Ghazi bin Mohammad, met with the heads of religious institutions more than once to talk about the religious policies and direction of the country. However, this initiative did not last long and never went beyond a few meetings.

On the other hand, the religious “portfolio” has traditionally and principally been managed by General Intelligence, which focuses mainly on the security aspect of religious considerations, organizations, institutions and affairs, such as religious endowments (*awqaf*), Sharia colleges and the volunteer and charitable work of Islamists. The country’s “Security Kitchen Cabinet” focuses mainly on social and political stability and national security, and on ensuring that the management of religious institutions

attention to a more proactive “cultural approach”. This new direction was made clear in the “Amman Interfaith Message”<sup>71</sup> (2004), which internalized Islamic ideas that urged moderation, centrism and religious tolerance and rejected extremism, *takfir*, misguidance and misinformation. Indeed, the Amman Message pushed for building relations based on dialogue with the “other”, religiously and culturally, and not on conflict and confrontation.

After the Amman Hotel Bombings in 2005, the level of official attention towards this “message” was heightened. And, it would be promoted as representing the official line taken by the state with regard to religion, both domestically and externally. A series of seminars and conferences were held inside Jordan to introduce this “message” to civil society, and especially to Jordanian youth, who represent the segment of society most vulnerable to the influence of radical Islamist thinking and ideologies. The “message” was integrated into university curricula, and was translated and published in several languages so that the state could actively market and promote it outside Jordan.<sup>72</sup>

In the same vein, the Ministry of Awqaf and Islamic Affairs worked to establish and develop a training center for preaching and for imams and preachers. The objective of this center was to build the capacities and abilities of imams and preachers to speak more effectively to the public after much criticism was leveraged against the ministry with regard to the weakness and ineffective levels of religious preaching, guidance and speaking that was taking place in Jordanian mosques.

In parallel, the state has provided its support and has sponsored activities and events, such as the Moderation Assembly and the International Islamic Moderation Forum, both of which adopt and promote a moderate Islamic line and a centrist approach to Islamic thought, considered close to the official policy line with regard to Islam.

In the middle of the 1980s, and what became much clearer in the 1990s, was the fundamental change in the state's outlook and perception about the sources of threat to its security and stability. These sources had now become the Islamist movements in both its moderate form (the Muslim Brotherhood) and in its radical manifestations (the Jihadi Salafists and Hizb ut-Tahrir). Islamist groups and movements had become a headache for the state and a primary concern. The relationship between the state and these groups and movements became characterized by antagonism, hostility, rigidity and confrontation – all of which produced a political and security environment that would be completely different from previous decades.

These shifts and transformations found their way into the heart of the religious policies of the state. Instead of opening doors and prospects for Islamist groups, their work and their activities, the reverse took place. The state began to tighten its grip, and began to limit and curb Islamists and Islamist activity that was perceived as opposing or working against the state and its interests. This shift would be reflected in the way the state would deal with religious endowments and preaching and guidance; and in the manner in which it appointed teachers of Islamic *Sharia* in Jordanian universities (who are screened by security to ensure that the political orientation of those who instruct in the Islamic *Sharia* does not pose a threat); and in the way the state's grip over charitable, social and volunteer work and activity would also be tightened – all of which culminated in the enactment of a new series of laws and in the new measures taken after 2006.

### **The Cultural Approach: Timid Steps**

At the same time that the above-mentioned laws and legislation were enacted, and the state's security grip over Islamists and Islamist movements (which opposed the state) was tightened, reassessments in strategy led to further consideration and

Brotherhood's Islamic Center Society and restructured the terms and criteria that governed volunteer activities, social work and charitable societies in order to limit and curb the influence of Islamist groups that were opposed to the state.

The new set of laws did not represent a real shift in state policy over the past few years. However, it did accelerate the steps and stages required to tighten the state's security grip over mosques, over the sources issuing *fatwas* in the Kingdom, and over social, charitable and volunteer work and organizations. This was all done within a strategic framework that can be viewed as being similar to the "nationalization" of these kinds of institutions, so that they would be under official supervision, monitoring, administration or control.

In examining the shifts and transformations which took place with regard to the security approach used against the Islamists and their social and charitable work, it becomes obvious that the state's outlook and perceptions on the sources of threats to national security and the factors affecting political stability over the past decades have varied and changed. From the 1950s until the 1980s, the major challenge facing the governing regime and threatening its stability was embodied by leftist and communist movements, followed by the Palestinian secular movements. And, all these movements operated under a discourse that was critical of Islam and of Islamists.

The prevailing circumstances, at that time, pushed the state to develop alliances and a unique form of coexistence with the Islamists. Consequently, it opened the doors for Islamists to become active in the country's mosques. It allowed them to establish charitable societies and educational centers, and paved the way for their activities on the level of volunteer, social and charitable work. All this was with the aim of curbing the popular influence of the leftists, as these movements were considered the enemies of Islam; at least, this was how they were represented in the discourse of the Islamists.

the most serious security threat to Jordan's national security at that time.

During the same period, the Hamas Movement was becoming a rising star in the Occupied Territories after its landslide victory in Palestinian legislative elections in 2006. Meanwhile, the Egyptian Muslim Brotherhood had also made great gains in parliamentary elections that took place in Egypt in 2005. All these circumstances worked to reinforce growing fears and suspicions within official circles about the "Islamist intentions" and the "growing Islamist appetite for authority" in Jordan.

These new fears and suspicions were further reinforced and strengthened by transformations taking place within the regional environment, where Islamist movements were emerging as formidable new players, and in which official Arab fears encouraged and endorsed the threat of the "Iranian-Shiite revival". This general environment would exert great pressure on the "security approach".

### **New Laws to Tighten the Security Grip**

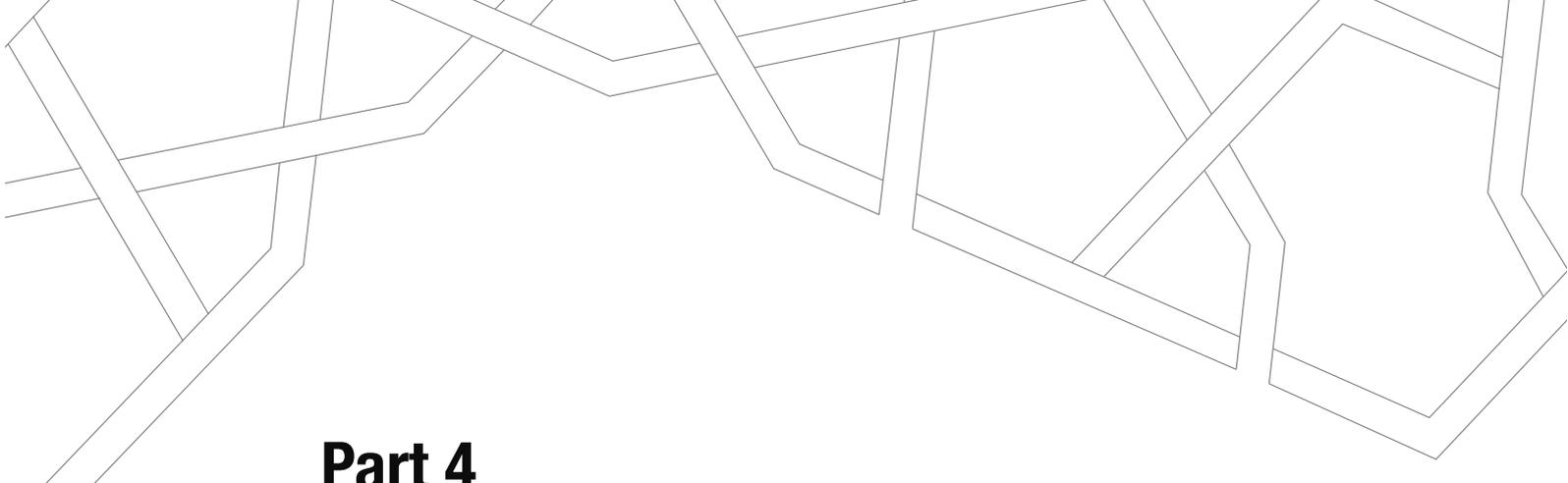
This vast, growing momentum was revealed in the new laws and legislation that granted the Jordanian state and its governments more leeway to face Islamist movements and to cope more effectively with them. These new laws and legislation allowed the government to tighten its grip over mosques, over the *fatwas* being issued in the country, and over the activities of charitable and volunteer organizations (affiliated with Islamist movements and groups).

The government enacted new laws on preaching and religious guidance, and enacted laws prohibiting terrorism. It gave the Department of Ifta independence and established branches for it in all the Kingdom's provinces. It shut down the Muslim

Since early 2006, official attention and internal reflection with regard to the state's religious policy has witnessed a surge relative to previous years. Indeed, the Hotel Bombings in Amman, at the end of 2005, represented a major turning point in official political thinking and the security considerations related to confronting al-Qaeda and other extremist, militant Islamist groups. Consequently, the state took a series of initiatives and enacted new laws that have "intensified" the attention and the focus on the religious domain and religious matters.

Previously, the state confronted extremist groups and organizations as well as the Muslim Brotherhood through security channels and measures that included closely monitoring these groups and their members, surveillance, legal prosecutions as well as infiltrating these organizations. Other measures included placing mosques, charitable organizations (related to these groups and organizations), and Islamist activism and volunteer activities, in general, under constant security surveillance.

The Hotel Bombings in Amman led to a serious review of this strategy, which was based solely on a "security perspective". Opinions from within and from outside official circles began to stress on the importance of paying greater heed to the preventive and cultural dimension in the battle against "Islamist extremism", and particularly al-Qaeda, which was very active in Iraq under the command of the Jordanian, Abu Musab Zarqawi <sup>70</sup>(who was killed in the middle of 2006 by an American airstrike) – and, which posed



## **Part 4**

# **Conclusions: “Religious Policy Kitchen Cabinets”**



The Ifta and Religious Guidance Section in the Jordanian Directorate of Public Security is responsible for leading prayers and other religious rites in mosques designated for units operated by Public Security. It also conducts lectures and lessons on religion and coordinates Friday sermons. It sets timetables and programs for these lectures and seminars in a manner that suits the times and needs of this extensive security apparatus, and ensures that mosques designated for Public Security units and employees are well maintained, clean and furnished properly. They also work closely with leading cadres at Public Security in order to identify manifestations and conduct that may require religious guidance, and conduct studies with regard to such matters that offer *Sharia*-based solutions and recommendations for rectifying such negative manifestations or conduct.

The section responds to questions and queries about religious matters, rulings and jurisprudence. It also produces a religious newsletter that deals with matters of faith, religious practice and different religious occasions. It prepares the religious curricula for all the training conducted at the Directorate of Public Security, organizes and coordinates religious festivities, and facilitates the *hajj* and *umra* procedures for members of the directorate's staff.

In coordination with formal Jordanian universities, the section also takes on the task of providing religious guidance at reform and rehabilitation centers. It employs a select group of religious scholars, imams and counselors to work in these reform and rehabilitation centers, where numerous lectures, seminars and debates are organized and convened for those who have embraced an extremist Islamist ideology.

Unit imams participate in and coordinate all religious events, occasions and activities for their units such as the hajj, the *Isra' wal Mi'raj*<sup>65</sup> and the Eid of al-Mawlid al-Nabawi.<sup>66</sup> They also actively engage in all their units' tasks and activities and are responsible for maintaining their units' spiritual morale.<sup>67</sup>

### **The Ifta and Religious Guidance Branch at the Directorate of Public Security**

The Ifta and Religious Guidance Section in the Jordanian Directorate of Public Security was established on January 5, 1990. Prior to this date, Public Security depended on imams from the Jordanian Armed Forces for its religious guidance. After the section was established, Public Security began to recruit imams who carried a university degree or had a diploma in Islamic *Sharia* and *Sharia* Studies to help instruct and train the imams working for Public Security. The directorate would also send many of its personnel with secondary school diplomas to the Prince Hassan College for Islamic Science so that they may study and receive a diploma in the Islamic *Sharia*. Several preachers were also recruited by Public Security to work in different departments such as the Department of Female Police Officers and the directorate's Center for the Reform and Rehabilitation of Women.

In 2001, the Hajj and Umra<sup>68</sup> Administration Branch at the Directorate of Public Security was upgraded and modernized in order to more efficiently process matters and procedures at Public Security related to the *hajj* and *umra* of Jordanian citizens. The branch also publishes a monthly newsletter that is distributed to all Public Security departments and units with the aim of developing the religious commitment of those employed by Public Security. This magazine is also distributed to other state departments and public institutions.<sup>69</sup>

This institution would progressively expand and evolve until every unit in the Jordanian military and every unit in the armed forces had its own imam. A unit's imam took on the task of issuing *fatwas*, providing religious guidance, conducting religious lectures and classes, as well as leading the five prayers for every unit, amongst other tasks.

In 1965, the Directorate of Ifta in the Jordanian Armed Forces began to recruit people with university degrees at the rank of officer as imams assigned to the armed forces. And, in 1966, the Directorate of Ifta began to provide courses and workshops in *Sharia* studies for those working as imams in the armed forces and began to include imams in military training so that they would have the same military experience as other officers in the armed forces.

In 1975, the Directorate of Ifta began to send its university-educated imams to continue their scholarly studies and to enter into graduate programs with the aim of attaining higher degrees in their specialties, and with the aim of building the capacities of the imams working in the directorate. And, in 1977, a special wing was established for *Sharia* studies at the directorate, where its imams could attend workshops and seminars and receive further training in the *Sharia*. In 1987, this wing established for *Sharia* studies was converted into an intermediate college in which imams in the armed forces could receive a diploma in *Sharia* Studies from the Ministry of Higher Education through the Prince Hassan College for Islamic Science.

The Shafi'iyya *madhab* is primarily used by the Directorate of Ifta in the Jordanian Armed Forces in its religious jurisprudence and its *fatwas*. The imams assigned to units of the armed forces conduct lectures, instruct on religion and respond to questions by persons of other ranks in their units. Army imams lead the five daily prayers, the Friday prayer and the two Eid prayers in their units' designated mosques.

At the same time, Sheikh (Jurist and Doctor) Noah Ali Suleiman was appointed as the Kingdom's Grand Mufti. King Abdullah II made a personal visit to the new Grand Mufti at the Department of Ifta, giving a clear message of formal and official support to the new department. Sheikh Noah had formerly been appointed as the Mufti of the Jordanian Armed Forces as well as the Jordanian Ambassador to Iran. He enjoyed a very good reputation as a (religious) jurist and was renowned for his scholarly abilities, his transparency and his conservative Sufist orientation.

After four years, in 2010, he was replaced after a series of *fatwas* of a quite conservative nature were issued and provoked a contentious debate. These *fatwas* raised serious questions on the extent to which the department's vision was consistent with the spirit of official state policy. And, after complaints that the department's jurists had expanded the scope of their *ifta*, and had begun to engage and interfere in public affairs in issues related to tourism and elections, for example, as well as in matters related to "modernity" (such as interacting with facebook and the use of electronic credit cards),<sup>63</sup> Sheikh Abdul Karim Salim al-Khasawaneh, also one of the former Muftis of the Jordanian Armed Forces, was appointed as Grand Mufti of the Kingdom.<sup>64</sup>

### **The Directorate of Ifta (Religious Advisory Section) in the Jordanian Armed Forces**

The Directorate of Ifta (or Religious Advisory Section) in the Jordanian Armed Forces is considered the major reference for *fatwas* in the country's armed forces. The directorate was established during the reign of King Abdullah bin Hussein when he appointed Sheikh Abdullah al-'Azb as the Mufti of the Jordanian Armed Forces.

Statistics presented by the Department of Ifta in Jordan show that the department issued 159,318 *fatwas* in 2009, at an average of approximately 639 *fatwas* every working day, with a large proportion of these being related to matters of divorce. The requests and queries to the department came in the form of questions over the phone, through written questions, short letters, electronic mail and through personal interviews.

According to the data presented by the Department of *Ifta*, questions and advice concerning matters related to divorce amounted to 15.3% of the queries received by the department. And, the number of *fatwas* issued by the department concerning matters of divorce amounted to 24,422 in total, with 12,764 of these *fatwas* being related to divorces that had already taken place and 11,658 *fatwas* being related to the matter of divorce in general or divorces that still had not taken place. As a matter of fact, reports indicate that the rate of divorce in Jordan is on the rise, with no less than 65,000 divorces registered in the country in the last five years, the majority of which took place in the larger cities, and particularly the capital, Amman.

The act establishing the Department of Ifta, and which gave it independence from the Ministry of Awqaf and Islamic Affairs, provoked a great debate, especially as two major objectives were merged behind this legislation. The first objective was to create an official religious institution to put limits on the chaos and lack of control over who was issuing *fatwas* and what kind of *fatwas* were being issued, especially with regard to *fatwas* marked by extremist points of view. The second objective was to take a firm stand against and delegitimize extremist *fatwas* issued by militant Islamists that have been used to justify suicide operations, the killing of civilians and violence.

to expert committees of muftis, who give each question or request the special attention and scholarly response each request deserves. A committee's final *fatwa* is presented directly to the Grand Mufti, who either approves or amends the *fatwa*, which is then published on the Department's website.<sup>60</sup>

In principle, the Department of Ifta uses the Shafi'iyya<sup>61</sup> *madhab* (Islamic school of jurisprudence) in its *fatwas* because it is the most widespread and accepted Islamic school of jurisprudence in the Levant area, which includes Jordan. It will also use and consult the rulings and input of other Islamic jurists and scholars. This is especially the case in *fatwas* related to certain matters and issues where the Shafi'iyya *madhab* is difficult to apply, or where its application may be awkward or may cause embarrassment, after the matter has been duly deliberated and debated by the muftis employed at the department. In such cases, where other Islamic jurists, scholars and other schools of jurisprudence are consulted, there are legal restrictions, rules and regulations that are followed, based on preset scholarly criteria.<sup>62</sup>

In matters dealing with personal status, the Department of Ifta bases its *fatwas* on Jordanian Personal Status Laws and does not exceed the legal parameters set by these laws. This policy is maintained so that there are no contradictions between a *fatwa* issued by the Department of Ifta and the provisions set by the *Sharia* courts in the Kingdom. It is important to note that, in general and in principle, the laws and provisions followed by the *Sharia* courts are based on the Hanafiyya *madhab*.

After the last restructuring took place at the Department of Ifta, muftis were appointed to all the provinces where there are – in 2010 – 30 muftis in Jordan. And, today, the department answers close to 500 queries, questions and request a day through various communication channels.

- To cooperate with scholars in Islamic *Sharia* in and outside the Kingdom on matters related to the issuance of *fatwas* (or *ifta*).
- To present opinions and advice in matters presented to the department by agencies, services and institutions of the state

The Grand Mufti is responsible for the department's affairs, for the proper and efficient functioning of the department, as well as for implementing the public policy and guidelines related to the public issuance of *fatwas* (or *ifta*). The Grand Mufti is appointed by royal decree, at the rank of minister, with all the authority and dispensations that this rank entails; and, his end of service is terminated in the same manner.

All *fatwas* issued (by muftis) from the Department of Ifta are free of any charges. Fees are not charged for requesting a *fatwa* in order to facilitate the manner in which people can learn and know more about the provisions and rulings of Islam.

In terms of the issues, questions and queries presented to the Department of Ifta, some are simple and can be answered by a mufti, if he knows the response, while other issues are more complex. In the case of the latter, a small *fatwa* advisory committee is designated to convene over the matter at the Department of Ifta. If a certain issue cannot be dealt with at the level of the smaller advisory committees, then the jurisdiction over it is turned over to the Department of Ifta, which becomes responsible for dealing with that particular matter.

The department receives requests for *fatwas* through its website (<http://aliftaa.jo>). These *fatwa* requests come not only from Jordan, but from all over the world as well. Requests for *fatwas* and queries and questions about *fatwas* are delegated

## **The Department of Ifta Gains its Independence from the Ministry of Awqaf and Islamic Affairs**

In 2006, legislation was passed that gave the Department of General Ifta its independence, from that point forth, from the Ministry of Awqaf and Islamic Affairs, as well as from other official institutions. The rank of the Grand Mufti became equal to that of a minister in the government. With that, the Department of Ifta became independent from other state institutions and apparatuses.

However, work is still underway to systemize and organize the affairs of this department and the manner in which it issues its *fatwas*. Today, the support of religious scholars and Islamic legal jurists has been garnered to assist the department so that certain tasks and duties are divided amongst them, and so that different sections in the department can take on the responsibility to care and deal with one particular aspect of *ifta* related to the different needs of society.

The law delineated the tasks and obligations of the Department of *Ifta*, as follows:

- Supervision over and the organization of all matters concerning *fatwas* in the Kingdom
- Issuing *fatwas* in matters of public and private affairs in accordance with the provisions of this law
- To prepare and conduct research and studies on Islam and Islamic affairs on matters of importance and on current and emerging issues
- To produce a scholarly journal, on a regular basis, specialized in publishing scholarly research and studies that focus on Islamic *Sharia*, legal studies and jurisprudence

In 1966, a system of Islamic *awqaf* was put into place, and the ninth section of this system's procedural code regulated all matters related to *ifta*. In that system, the Kingdom's mufti reported to the Minister of Awqaf and Islamic Affairs. This codified law stipulated that the Grand Mufti would, in cooperation with the Head of the Preaching and Guidance Department, convene regular meetings with all of the Kingdom's muftis in order to organize their work and guide them; because muftis, at that time, were responsible for preaching and religious guidance in society.

Later, a resolution was made to form a Council of Ifta that would be headed by the Chief Islamic Justice. This council would meet regularly to discuss new issues and to discuss matters relevant to society. It also discussed issues referred to muftis that were of public interest, such as cases pertaining to ministries, companies and so on. Other issues were dealt with directly by the Grand Mufti or by the specific muftis appointed to cities or provinces.

The regulatory and procedural code for the administration of the Ministry of Awqaf and Islamic Affairs continued to evolve, and with it, the system of *ifta*. In 1986, the Department of Ifta underwent a major upgrade that helped modernize the department. However, the mufti remained under the jurisdiction of the Minister of Awqaf and Islamic Affairs, and the Chief Islamic Justice remained the head of the Council of Ifta.

The post of Grand Mufti in Jordan was filled by several scholars as follows, chronologically: Sheikh Hamza al-Arabi, followed by Sheikh Abdullah al-Qalqili, Sheikh Mohammad Adel al-Sharif, Sheikh Mohammad Hashem, Sheikh Izzidin al-Khatib al-Tamimi, Sheikh Sa'id al-Hijjawi, Sheikh (and Doctor) Noah Ali Suleiman, who was then followed by Sheikh Abdul Karim Salim al-Khasawaneh as Grand Mufti of the Hashemite Kingdom of Jordan.

### **Third: Religious Institutions, Official Religious Policy and Ifta, or the Issuance of Fatwas and rulings related to Islamic Jurisprudence**

*Ifta* is a term used to represent the act of issuing a *fatwa* or an Islamic legal opinion usually issued on matters related to everyday life, or Islamic religious rulings, or scholarly opinions on a matter of Islamic law that are issued by an authoritative consultant in matters of Islamic law. Initially a private vocation, the act of issuing official *fatwas* came to be the role of the public office of the “mufti”<sup>58</sup> in the eleventh century. The Ottoman Empire was the first state to integrate muftis into its official bureaucracy.<sup>59</sup>

The Department of Ifta was established in the Hashemite Kingdom of Jordan in 1921. From the time of its establishment, the Department of Ifta issued *fatwas* that are grounded in the Hanafiyya *madhab* (or Islamic school of jurisprudence), which was also the main school of Islamic jurisprudence in force during the days of the Ottoman Empire.

In Jordan’s system of *ifta*, a mufti responded to people’s queries on matters of faith, practice, interactions and transactions, or on personal matters. And, a mufti was appointed to stand next to every judge in all of the larger and smaller cities so that judges could consult with muftis when resolving social disputes. At the same time, a mufti would turn over matters to a judge which required special evidence and witnesses, and which were not matters that fell under the mufti’s jurisdiction and specialization.

The system of *ifta* in Jordan remained this way until Sheikh Hamza al-Arabi was appointed by royal decree as the Grand Mufti of the Hashemite Kingdom in 1944. In that same year, Sheikh Abdullah al-‘Azb was appointed as the Mufti of the Jordanian Armed Forces.

The Ministry of Awqaf and Islamic Affairs and the Ministry of Education cooperate and coordinate in the technical supervision of these *Sharia* schools. Both ministries provide teachers specialized in the various subjects given at these schools, according to a system established between institutions and ministries where teachers mandated by the Ministry of Education teach side by side with their colleagues from the Ministry of Awqaf and Islamic Affairs. These teachers cooperate in carrying out the educational duties entrusted to them, with a number of these teachers participating in special Jordanian Hajj missions.<sup>57</sup>

students to enter into other studies in other disciplines in programs set by the Ministry of Education.

The first *Sharia* high school was established in 1961 from which the first group of preachers and scholars qualified in religious instruction graduated. Later, a group of *Sharia* schools would be established by royal decree in 1990 for the purpose of providing an education in teaching Islamic religion and studies. These schools include Abu Bakr al-Siddiq School in the capital, Amman; the Omar bin Khattab School in Irbid; the Othman bin Afan School in Kerak; the Ali bin Abi Taleb School in al-Balqaa; The Aqsa Sharia High School for Boys in Jerusalem; and, the High School for Girls in Jerusalem.<sup>55</sup> Since their establishment, the number of students who have studied in *Sharia* schools affiliated to the Ministry of Awqaf and Islamic Studies total 3,064.<sup>56</sup>

These schools teach studies in the Holy Qur'an, the Prophet's Hadith, Islamic jurisprudence and the Prophet's life in addition to the regular curriculum of core studies that are given by the Ministry of Education at regular public schools. These curricula parallel the most important years of education, or from the seventh until the tenth grades, as well as high school through a special curriculum that has been adopted and used by the Ministry of Education.

In 2006, another royal decree was issued to build a prototype *Sharia* school in the city of al-Salt. The construction of this school was completed in 2009 and its operation commenced in the 2009/2010 school year. This particular school has been equipped with educational facilities and teaching aids, in addition to the fact that all the school's facilities have been linked to the internet. It has been equipped with all the teaching aids and supporting material necessary to provide a better education and to elevate the study of Islamic law at par with modern standards, and in pace with advances in modern technology.

Traditionally, the Ministry of Awqaf and Islamic Affairs has had complaints about the modest budget allocated to it, and the budgetary limitations which have led to thousands of mosques being left without an official imam specifically employed to them. Consequently, the ministry has had to resort to alternative measures to fill these gaps, such as appointing teachers, who teach Islamic studies in schools, to take the place of resident imams in mosques, to lead certain prayers and take care of small matters related to preaching and religious guidance in certain areas of jurisprudence.

Some appointments are made in return for a small amount of monetary compensation, instead of a formal, administrative appointment. Those appointed in this manner are not treated as official employees of the ministry. In any case and in general, the salaries of employees at the Ministry of Awqaf and Islamic Affairs are substantially lower than that of other public institutions and ministries, although the majority of imams are given a place of residence free of charge, adjacent to the mosques they work in.

### ***Sharia* Schools**

Of the tasks relegated to the Ministry of Awqaf and Islamic Affairs is to supervise schools that teach the Islamic *Sharia*, in coordination with the Ministry of Education. The Ministry of Awqaf and Islamic Affairs has a special department to deal with this specific task.

What distinguishes these schools from other public schools is that they provide religious courses and material in addition to the regular curriculum and core subjects taken by students in the public school system. They also provide a specialized education in the *Sharia* during high school, which prepares students to enter into *Sharia* (Islamic Law) faculties at Jordanian universities. These special studies also prepare

does so in matters of religion or culture. It is also not very concerned about the kinds of *fatwas* and the jurisprudence which are advocated from the pulpits of mosques, as long as they do not provoke public sentiments, social altercations and contentious issues or have any other significant negative echo on public opinion.

The subject of sermons and the preaching that takes place in Jordanian mosques is indeed a common issue of contention in the debate and discussions that takes place between the Organization of the Muslim Brotherhood and the state. The Brotherhood often accuses the state of excluding its preachers and speakers from the pulpits of mosques and of replacing them with speakers that have a stronger predisposition to agree with official positions, or those that have more Salafist tendencies.

Almost two years ago, the channels of communications opened by the former Director of Jordanian General Intelligence, Lieutenant General Mohammad al Dahabi, with the Muslim Brotherhood led to 20 of the Brotherhood's leading cadres being allowed to return to speaking in Jordanian mosques. However, the security services were quick to instruct the Ministry of Awqaf and Islamic Affairs to renew the ban on these speakers, after al Dahabi was dismissed and there was an official reversal of the policy of "opening up" to the Brotherhood.<sup>54</sup>

One official source argues that the Brotherhood's claims that they have been "excluded" from the public and religious domain are incorrect. The source claims that, today, there are close to 130 speakers of mosques who are affiliated with the Muslim Brotherhood. The source also says that the state is "alert" to and aware of these speakers, but has not prohibited them from speaking as long as they adhere to the Ministry of Awqaf and Islamic Affairs' directives and instructions.

Furthermore, Jordan's members of parliament agreed to the proposed law on the condition that the text of the law separates between conducting Friday sermons and between (religious) instruction and guidance. The members of parliament agreed that those who conducted a Friday sermon without prior permission would be punished by law, while such penalties would not be applied to those who preached or provided (religious) guidance and instruction (without prior authorization). However, the Jordanian senate would override the decision made by the members of parliament on certain parts of this law, and once again merged Friday sermons with instruction, preaching and religious guidance so that they would all be included in the text of the law.

In terms of building capacities and training imams and preachers in preaching and in (religious) guidance, directives and instructions related to such matters were amended and put into force. And, the King Abdullah Institute for the Training and Rehabilitation of Preachers and Imams was established to oversee the training of preachers and imams.

Finally, although the Ministry of Awqaf and Islamic Affairs does not predetermine the subjects or content of the Friday sermons given by imams and speakers of mosques, there are occasions in which the ministry will provide clear instructions on the need to "guide" and "direct" public opinion on a certain matter or issue. In the meantime, regular sermons given by imams and speakers of mosques are systematically monitored by the state's security. Sometimes the level of a speaker's commitment does not necessarily reflect a full acquiescence to the ministry's directives, and, on occasion, speakers will resort to slight deceptions, allegories and puns in the "required" speeches or sermons and will try to break through the ceiling on certain prohibitions.

In the most part, a speech will be "guided" by the ministry with regard to political issues or matters of security. It rarely

by the Secretary General and by the Director of Preaching and Guidance in the Ministry, to prohibit him from conducting sermons, instructing, preaching or providing guidance in mosques, provided he has been notified in writing of the decision enforcing this prohibition.”

The text of the law on the penalties associated with violating this law’s provisions states that, “The Minister may lift a ban on a person prohibited from conducting sermons, instructing, preaching or providing religious guidance in a mosque under paragraph (b) of this article if the causes for the ban and prohibition appear to no longer exist. Subject to the provisions of the current legislation in force, anyone who violates the provisions stated in paragraphs (a) and (b) of this article shall be punished by a jail term ranging from one week to one month, or subject to a fine of a minimum of 20 to a maximum of 100 Jordanian Dinars.”

In reality, this law was designed to target those who conduct sermons or preach for the Islamic Action Front, an organization closely affiliated to the Muslim Brotherhood. Indeed, the government was of the view that the Brotherhood exploited the pulpits of mosques and other public platforms for their political agenda. And, despite the fact that the parliament approved, by an absolute majority, the prohibition on speakers in mosques who were not appointed or approved by the Ministry of Awqaf and Islamic Affairs, it rejected the proposition that the ministry have control over (religious) instruction, preaching and guidance. Instead, Jordanian members of parliament left the matter of the *da’wa* in mosques open to those capable and qualified to do so. Furthermore, they reduced the penalties on those found speaking from the pulpits of mosques without prior official permission from a jail term of from four months to one year (which the government wanted) to jail terms of from one week to one month.<sup>53</sup>

published in the *Official Gazette* on January 9, 2004, which stipulates that, “The Ministry will supervise all mosques and the administration of their affairs, including appointing their speakers, teachers, imams, muezzins and staff and will oversee their administration of religious rites and rituals and any other activity conducted in them.” And, Article 33 (a) stipulates that, “No party may establish a School of the Holy Qur’an except through obtaining a permit from the Minister” and (b) “Schools of the Holy Qur’an, which were established prior to the enforcement of these new regulations and procedures, must rectify their status according to these provisions within a period defined by the Minister for these purposes, which includes obtaining a permit to operate.”

To this day, this legal procedure hangs like a sword over the Association of Societies for the Preservation of the Holy Qur’an. It seems the future of this association will remain tied to the fate of the relationship between the state and the Organization of the Muslim Brotherhood; and, whether or not the state will be comfortable with the presence of such an influential organization with branches and centers spread across the Kingdom.

## **The Law on Preaching and Religious Guidance**

In September 2006, the debate around amending the new Law on Preaching and Religious Guidance was sparked once again. This law was the outcome of the same process and concerns that led to the laws discussed previously. The law related to preaching and religious guidance is represented in Article 7, which stipulates that, “No individual is permitted to conduct a sermon, or instruct, or preach, or provide guidance in a mosque unless that person is qualified to do so, and has obtained written permission from the Minister or from individuals delegated by the Minister to do so. If a preacher violates these provisions, it is for the Minister, as authorized

teachings and its tenets. There are approximately twelve “model” schools based on the Qur’anic school prototype for both males and females. Many other Qur’anic schools exist inside mosques, with almost 1,410 of these schools designated for males and 450 designated for females. The number of students who have graduated from these schools since they were first established totals 20,347. Students in Qur’anic schools take classes in memorizing the Qur’an and study its provisions and tenets; the majority of these students do not maintain a permanent or specific tie with these Qur’anic schools, which are closer to summer schools or transitory classes that are purely instructional.<sup>52</sup>

Recently, the Ministry of Awqaf and Islamic Affairs began to compete with the Association of Societies for the Preservation of the Holy Qur’an, closely affiliated to the Organization of the Muslim Brotherhood. This association was established in 1999 and headed by Dr. Ibrahim Zayd al-Kilani, who was the former Minister of Awqaf and Islamic Affairs (as one of the Brotherhood’s ministers in the cabinet and government of Prime Minister Mudar Badran in 1999), and who is considered one of the most prominent religious scholars in the Jordanian Muslim Brotherhood.

The Ministry of Awqaf and Islamic Affairs repeatedly demanded that this association obtain a license from it; and, the association interpreted this demand as a tactic being used by the ministry to obstruct their work and keep them in check. The association responded with the fact that it had already obtained a permit from the Ministry of Culture. But, the state is constantly intimating that the Muslim Brotherhood just took over the association.

In any case, the Ministry of Awqaf and Islamic Affairs now requires any organization or group that wants to establish a center for the Holy Qur’an to obtain a permit from the ministry. This directive is based on Article 3 of the law

mosques, and in all custodial matters related to mosques, as well as forming social committees, which are responsible for raising the funds needed for to cover the mosques' costs.<sup>51</sup>

It is obvious that security considerations have a clear presence in these directives and provisions, particularly with regard to the formation of committees and in the stipulations that official approval is required prior to the appointment of any member to these committees. The latter is in addition to the provision that funds raised and expenditures made by these committees must be officially audited and monitored. Furthermore, it is well known that approvals for appointed members must pass the state's security services test, and that the political orientations of committee members are monitored by security. And, herewith lies part of the state's strategy to contain, marginalize and reduce the influence, role and activities of the Organization of the Muslim Brotherhood in Jordanian mosques.

With the knowledge that the ministry does not have the capacity to provide all the funding required to construct and care for mosques, it leaves the door open for charitable and fund-raising activities and financial donations for these purposes. However, and on the other hand, the ministry will monitor and supervise the entire process and all the procedures entailed in constructing and maintaining mosques, including all their technical and security requirements (which covers how mosques are built or are taken care of, and how preachers and imams employed in mosques are appointed, and their conduct – all of which is subject to the ministry's provisions, directives, regulations and procedures).

## **Qur'anic Schools and Summer Schools**

The Ministry of Awqaf and Islamic Affairs also supervises Qur'anic schools that provide instruction in the Qur'an, its

When the Palestinian Authority came into power and asked that it be the final authority in matters pertaining to Islamic *awqaf* and the Sharia courts (in the West Bank), the Jordanian government proceeded to cut its administrative and legal ties related to such matters in the West Bank. Since that time, Islamic *awqaf* and the Sharia courts in the West Bank are subject to the supervision of the Palestinian Authority, according to laws and regulations which were in force prior to this decision.

There would be one exception to the above: The Jordanian government excluded the *Sharia* courts and Islamic *awqaf* in the city of Jerusalem from the decision to disengage legally and administratively from the West Bank. The justification presented for this exception was that the status of the holy city was to be postponed and determined in final status negotiations. As a result, Jordanian laws pertaining to Islamic *awqaf* remain in force today in the holy city of Jerusalem.<sup>48</sup>

## **Supervision of Mosques**

The Ministry of Awqaf and Religious Affairs is authorized to supervise all the mosques located across the Kingdom. In addition, it pays the salaries of imams, muezzins<sup>49</sup> and preachers. The ministry also covers the overhead costs of all the mosques which today number 5,008 with 1,770 still under construction. The capital Amman is home to the largest number of mosques, namely 1,337, followed by Irbid which has 513 mosques, and Zarqa which has 405 mosques.<sup>50</sup>

Indeed, the Ministry of Awqaf and Islamic Affairs has taken charge and has secured tightened controls over all the mosques in the Kingdom, according to the procedures delineated in the provisions and regulatory controls over mosques that were last amended in 2001. These regulatory controls stipulate that the Ministry of Awqaf and Islamic Affairs will supervise the entire process involved in constructing

## Second: The Ministry of Awqaf and Islamic Affairs

According to the act that established the Ministry of Awqaf and Islamic Affairs in 1970, the Ministry has jurisdiction over all Islamic *awqaf*, mosques, orphanages, religious schools, religious institutes and religious colleges in the Kingdom funded by the Ministry's budget, as well as over cemeteries, *awqaf* lands reserved for future burial needs, *awqaf* lands where burials are forbidden, matters related to the hajj<sup>47</sup> or to religious jurisprudence, and the mosques that are funded or spent on through the Ministry's budget.

Prior to this act, all matters related to Islamic *awqaf* in Jordan and in Palestine were organized and dealt with according to the *waqf* administration system inherited from the Ottoman state. Indeed, the Ottoman system stayed in force until it was repealed under Article 10 of the Islamic Waqf Act, after the Kingdom was established. The Islamic Waqf Act (number 25) was drafted in 1946 and presented to the legislative assembly, which passed the law after introducing some amendments, additions and modifications. After establishing the ministry on July 10, 1967, the cabinet decided that the department dealing with *awqaf* and Islamic Affairs would be merged under the new ministry from August 10, 1967; and, the name of the department would be officially changed into the Ministry of Awqaf and Islamic Affairs in 1968.

Jordanian laws related to the administration of Islamic *awqaf* would stay in force in both the East and West banks of the Kingdom until after the occupation (of the West Bank). The Ministry of Awqaf and Religious Affairs remained directly responsible for managing and administering matters pertaining to Islamic *awqaf* in the West Bank until the decision to break administrative and legal ties and officially disengage with the West Bank was taken on July 8, 1988.

presented for issuing this particular directive was “to reduce any excesses or abuses that may arise due to an absence of a recognized reference for all parties concerned”.

The directive asked that all ministers and all official departments and public institutions consider the Council of Heads of Churches as the only reference with regard to the affairs of Christians in Jordan, and that all procedures should be coordinated with the Secretary General of this Council. The directive also stated that the Council was not responsible for any other Christian institution in Jordan that was not under the jurisdiction of the council. Finally, the main purpose of the directive was to create a single reference responsible for organizing matters for the different churches (registered in the council), with whom these churches could coordinate, in the aim of curbing any potential abuses that may arise.

This decision was the result of a request made by different churches that there be one, official umbrella for all the churches in the Kingdom, where relations between these churches and all the different official state institutions could be better organized and coordinated. The request was also made with the aim of reducing the issuance of certain decisions by different parties, not authorized to do so, and which did not represent all Jordanian Christians.<sup>46</sup>

courts can be quite high and often call for the intervention of certain adjustments to put a ceiling on litigation costs so that they do not impose a burden on the litigants.

Individuals from Protestant sects, registered as “charitable organizations, societies or associations”, are obliged to use the ecclesiastical courts of one of the recognized Protestant churches. These individuals are obliged to request one of these recognized courts to deliberate in cases related to their personal status.

On January 11, 2007, the National Council for Family Affairs presented a proposal to draft a religious guide for marriages related to Christian sects with registered courts in Jordan. This guide would be the first of its kind after a marriage guide was drafted on the marriage of Muslims that the council issued with the help of the Chief Islamic Justice Department.

In addition, on January 21, 2009, the Cabinet adopted a resolution that recognized the Council of Heads of Churches in Jordan as the sole reference for Christian affairs, and called for regulating the relations between this Council and all other relevant state institutions. The Council of Heads of Churches was established in July of 1999 and includes Greek Orthodox Bishop Benedictus, Greek Catholic Bishop Yasser Ayyash, Roman (Latin) Catholic Bishop Salim al-Sayyegh, and Armenian Orthodox Bishop Vahan Tubulian. Bishop Hanna Nour was appointed as the Secretary General of the Council. Of the most important churches which are not included in this council are the Baptist Church, the Church of Christ, the Coptic Church and the Maronite Church.

A general directive was issued by the Prime Minister that stated, “The Council of Heads of Churches is the sole reference for all matters related to the religious affairs of Christians in Jordan”. The directive called for all relations between the Council and relevant state institutions to be regulated. The justifications

Catholic Church), the Ecclesiastical Church of the Armenian Church, the Ecclesiastical Court of the Arab Evangelical Episcopal Church and the Ecclesiastical Court of the Coptic Orthodox Church. Finally, the Ecclesiastical Court of the Arab Evangelical Episcopal Church has jurisdiction over cases dealing with the personal status of individuals who are of sects that are not included in the 1938 Law of Religious Communities.

In the matter of these provisions, for example, in the case of divorce, the Catholic Church (which includes the “Latin Catholics”) adheres to the spirit of the bible in the matter of marriage, based on the biblical verse that states, “What God joined together, let no man separate” [Book of Mark 10:7-12];<sup>45</sup> but, will allow for the annulment of a marriage if it was convened in an incorrect or inappropriate manner. Meanwhile, Orthodox laws allow for divorce, even if a marriage was convened in a correct or proper manner, whereas the laws of the Arab Evangelical Episcopal Church do not allow for divorce.

In the case of a marriage or divorce between two different sects, jurisdiction automatically goes to the sect under which the marriage contract was convened. Meanwhile, jurisdiction over cases related to an interfaith marriage or divorce falls automatically under the jurisdiction of the civil courts, which will deliberate and rule according to the respective individual’s canonical law.

In other examples, cases dealing with remittances, allowances and alimony suits are all derived of one general rule, governed by two major principles: The first being an assessment of the man’s ability to provide a remittance, allowance or alimony, and the other being the cost of living. In the matter of custody over children, the judge has the right to decide with which parent a child will live, based on that child’s interests. However, litigation fees in such matters in ecclesiastical

stipulated significant improvements in matters of custody over children, and have called for the establishment of domestic reform centers, as well as establishing allowance and alimony funds for divorced women, in addition to other provisions that even women's organizations consider as improving, compared to the previous (personal status) laws.<sup>44</sup>

## **The Personal Status of Christian Citizens**

With regard to the provisions, regulations and procedures related to the personal status of citizens who are not Muslim, according to Article 104 of the Jordanian constitution, the personal status of non-Muslims shall be derived of the practice and laws pertaining to that citizen's specific religion or sect.

Numerous personal status laws governing Christian citizens of different Christian sects do exist, but they are not published in the *Official Gazette* and are outside the framework of the state's supervision. In any case, the law on non-Muslim religious communities (number 21 of the year 1938) is one of the oldest laws in force today; and this law has not been subject to any substantial changes, other than a nominal amendment passed in 1976. In addition to a law entitled the "Legal Rights Journal" for the Catholic Church, law (number 21) defines which churches are officially recognized in Jordan.

Different non-Muslim religious councils have jurisdiction over the cases of personal status of individuals from their respective sects or religions. This jurisdiction falls outside the framework of the civil courts. These "religious councils" are authorized to deliberate and rule on cases of personal status of persons from their respective sects in the Kingdom and include: The Ecclesiastical Court of the Greek Orthodox Church, the Ecclesiastical Court of the Greek Catholic Church, the Ecclesiastical Court of the Latin Patriarchate (Roman

The Personal Status Laws in Jordan are a major point of contention between Islamist and secular currents and groups, in general. This dispute clearly emerged in the debate that took place in the country and in the country's media around the new draft laws on personal status which were prepared by the Chief Islamic Justice Department and sent to the government for approval.

Despite the fact that there is a general agreement that these new draft laws significantly improved upon the previous Personal Status Laws, women's movements and other civil society organizations of a more secular nature pushed for amending certain articles, which contradict specific international conventions and resolutions passed at international conferences on women's rights. Perhaps the issue that stirred the greatest controversy and commotion between the Islamists and the secularists was the marriageable age of women. Although the draft law determines the legal marriageable age of women as no younger than 18 years of age, it allows judges to lower this age limit to 15 years in "exceptional" circumstances or cases.

These "exceptional" circumstances or cases caused a great stir amongst women's organizations. They demanded that such "exceptions" be defined more clearly, especially as the phenomena of early marriage (for females) has significantly increased in recent years, and especially as the authority of *Sharia* judges to rule over such cases is loose and extensive, and lacks measures of accountability.

Consequently, Jordanian women's organizations convened a number of seminars, meetings and media debates in which they tried to lobby the Chief Islamic Justice to apply further restrictions and stricter conditions for early marriage, in an attempt to curb the rise of this phenomenon in society. In many other issues, the new draft laws contain stipulations that are more favorable to women, such as the woman's right to divorce in cases of hardship and irreconcilable differences. The new laws also have

The country's Chief Islamic Justice manages and administers the Department of the Chief Islamic Justice and has the authority and rank of a minister. The Chief Islamic Justice reports to the Prime Minister and has jurisdiction and authority over all the *Sharia* courts and its judges. Today, the *Sharia* courts in Jordan total 63 courts, with over 185 *Sharia* justices presiding over these courts. And, all the cases and issues that fall under the jurisdiction of the *Sharia* courts are structured under the framework of the Jordanian Personal Status Laws, which are drawn up by the Department of the Chief Justice in coordination with *Sharia* scholars and those specialized in the *Sharia* law.

The Chief Islamic Justice Department underwent several stages in its development. During the era of the Emirate of East Jordan, the Chief Islamic Justice considered and ruled over all civil and criminal cases and suits. The civil judiciary was then separated from the *Sharia* judiciary, with the *Sharia* judiciary system having its own courts which fall under the jurisdiction of the Ministry of Justice. The *Sharia* judiciary system was thus confined to considering, deliberating and ruling on matters of personal status and was assigned its own courts, which fell under the jurisdiction of the Chief Islamic Justice Department (CIJD). The CIJD was also authorized with overseeing the administration of *awqaf* in the Kingdom until the beginning of 1968, when all matters of religious endowments (*awqaf*) were separated from the jurisdiction of the CIJD and placed under its own Ministry "of Awqaf" (and Islamic Affairs).

The Emirate of East Jordan inherited seven *Sharia* courts from the Ottoman state, which were located in the Jordanian cities of Amman, Ma'an, Irbid, Kerak, al-Salt, Jerash and Tafileh. The first *Shura* Council, established during the Emirate period in 1921, included the post of Chief Islamic Justice, with Sheikh Mohammad al-Khader al-Shanqiti filling this post for the first time. Over the years and until today, fifteen different Chief Islamic Justices have successively filled this post, and the numbers of *Sharia* courts and *Sharia* judges have progressively expanded to keep pace with the increase in the Jordanian population.<sup>43</sup>

## First: The Chief Islamic Justice Department and the Sharia Courts

The *Sharia* judicial system is one of the most important religious institutions of a legal nature in the country. This system of courts falls under the jurisdiction and authority of the Department of the Chief Islamic Justice (CIJD), which oversees the *Sharia* courts and the application of the Personal Status Laws and Regulations that are under the jurisdiction of these courts.

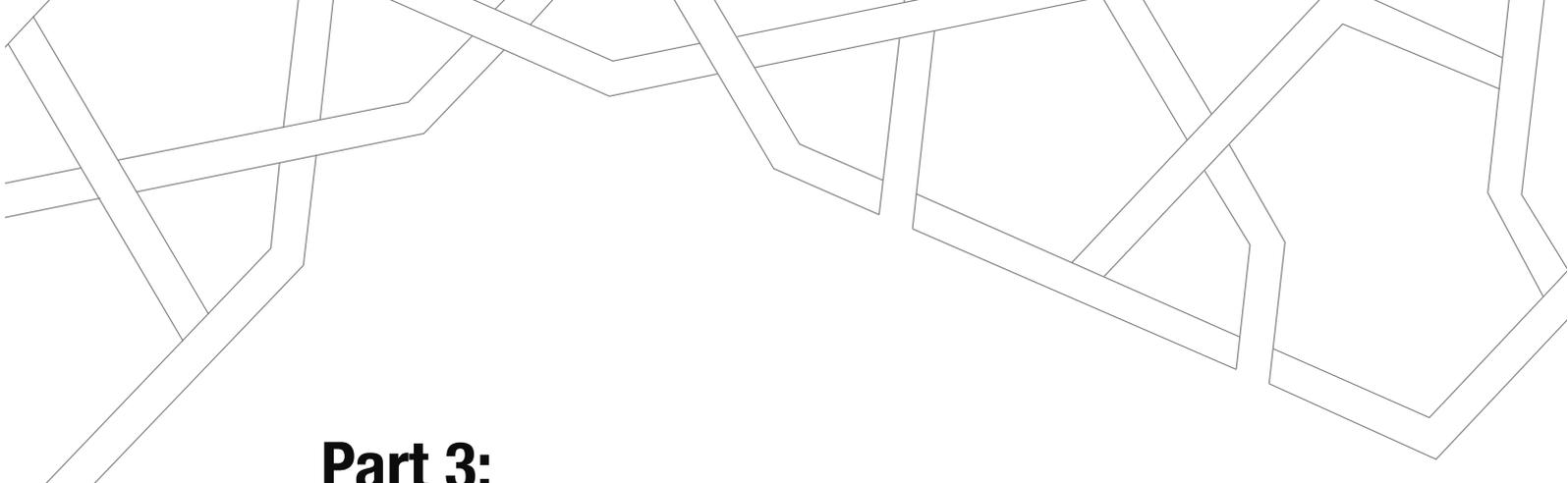
According to Article 105 of the Jordanian constitution, “The Sharia Courts shall in accordance with their own laws have exclusive jurisdiction in respect of the following matters: (i) Matters of personal status of Moslems. (ii) Cases concerning blood money (*diya*) where the two parties are Moslems or where one of the parties is not a Moslem and the two parties consent to the jurisdiction of the Sharia Courts. (iii) Matters pertaining to Islamic *Awqaf*”, while Article 106 states, “The Sharia Courts shall in the exercise of their jurisdiction apply the provisions of the Sharia law”.<sup>42</sup>

These matters are clearly detailed in Article 2 of the Legal Code, Procedures and Regulations followed by the *Sharia* Courts. Article 2 stipulates that the *Sharia* Courts will consider and rule on matters that relate to the administration and the beneficiaries of *awqaf*, legal suits related to *awqaf* and *waqf* disputes, the legality of *awqaf*, debts and investment of funds for orphans, restraints on *awqaf* for legal reasons, guardianship, inheritance, confiscation and release, proof of maturity, appointing or removing a legal guardian or trustee, absentee provisions, marriage and divorce, dowries, family allowances, determining lines of descent and parenthood, custody, determining the shares of inheritance for both legal and transitional heirs, *diya* (blood money) demands (if both parties are Muslims), the division of estates, grants and endowments, amongst others.

There are several formal religious institutions responsible for implementing the state's "religious policy" and for overseeing general religious affairs. Firstly, these institutions reflect the general extent to which public religious affairs are linked to or separated from other state policies. Secondly, from within these institutions, the state's efforts to balance between conservative secularism and other religious considerations are evident. The influence of security considerations is also quite clear in the administration, procedures and regulations that govern these institutions. Indeed, it is safe to say that security considerations have come to form a principle criterion in the standards applied in the state's administration of these institutions.

The state's formal religious institutions branch out into various domains. They cover judicial, administrative and charitable affairs as well as matters related to preaching and religious guidance. This institutional network is connected to various independent charitable associations and organizations, which extend across the public domain and which take care of certain matters and take on tasks related to religious affairs.

In this study, we will focus on the three most prominent "official" religious institutions. These are the Department of the Chief Islamic Justice, the Ministry of Awqaf and Islamic Affairs and other official religious advisory departments, with references made to other institutions such as the Awqaf Development Fund for the Care of Orphans and the Zakat<sup>41</sup> Fund.



**Part 3:**  
**A General Mapping of Religious  
Institutions and Policies**



to keep a clear distance from any specific religious ideology or tendency. Certainly, this strategy is what has allowed for the plurality of religious discourse to exist domestically, and has allowed for differences between different religious schools of thought and jurisprudence to exist. However, this does not negate the fact that the state does practice a political bias towards one side and against another, depending on what the prevailing political and security circumstances are and depending on what serves the interests of official policy and security considerations.

on matters of religion, religious jurisprudence and Islamic law in relation to the faith, beliefs, practice, religious opinions and rulings of Islam.

The favoritism the state displays towards the Traditional Salafists and their discourse over these last few years can be attributed to political and security considerations, even if this particular discourse is more extreme in terms of its content, its *fatwas* and its doctrine. Indeed, the discourse of the Muslim Brotherhood is less extreme on matters related to women, to the arts and to literature, in their social *fatwas*, in their relationship with culturally different “others”, as well as in their position on plurality, democracy and other notions that relate to the workings of a modern, civil state.

This examination appears to substantiate that the state’s political interests and security issues represent the more important considerations and determinants of official policy when it comes to such matters. It is clear that in previous years the state has not advocated a policy that pushes for building an enlightened Islamist current, which could re-articulate a popular religious vision that would allow for a socio-religious evolution and development that could be more in harmony with the spirit of the times.

These policies have reflected clearly on the general social mood in the country that, today, is more conservative, religious and closer to Salafism, which has spread and proliferated for both domestic and external reasons – the most important of these being the proximity of Saudi Arabia and the success experienced in the spread of the Salafist *da’wa*, which enjoys much support and access to various channels and tools. Indeed, today, this form of religious jurisprudence and this religious vision has come to dominate Jordan’s mass, popular social culture.

Furthermore, the existence and presence of opposing and, at times, even conflicting groups, movements and *da’was* (Salafist, Brotherhood, Sufist) reflect the unyielding state policy of maintaining “religious neutrality” and the state’s conscious efforts

Jordanian mosques, schools, universities and in their charitable work and in their *da'wa*. This approach was maintained only as long as the Brotherhood represented an effective alternative to leftist and Palestinian organizations, which were against the state during that period.

That specific period allowed the Muslim Brotherhood to infiltrate wide segments of the population. Through the dissemination of their religious discourse and their intellectual outlook, they were able to gain influence and power over a significant proportion of public opinion. And, this influence was particularly great when it came to ideas that were linked with a “comprehensive” Islamic solution and political change, in their advocacy of a religious dimension in the confrontation with Israel, in the battle they waged against Westernization on the social and cultural front, and in their *da'wa*, which also called for the establishment of an Islamic state.

The transformations that took place in the relationship between the state and the Brotherhood led the state to complicate and obstruct the platforms, places of influence and social communication between the Brotherhood and the Jordanian populace. It would instead grant access to these channels to those affiliated with the Traditional Salafist line. Consequently, Traditional Salafism began to compete effectively with the Brotherhood in their ability to preach, in their ability to spread their religious discourse in mosques, through their religious instruction, and through all the other social activities that follow this type of *da'wa* or line of religious advocacy and work.

The clash between the Brotherhood and the Salafists clearly emerged in the 1980s in Jordanian mosques, but would reach its climax in the 1990s. This conflict basically revolved around the religious and intellectual discourse advocated by the Muslim Brotherhood, which advocated change must come about through “political struggle”, and the discourse advocated by the Traditional Salafists, which opposed “politicizing” religion and advocated obedience to the governing authorities and, instead, focused

political scene. But, despite this official support and assistance, the party has not been able to garner enough popular support or attract a parallel popular base wide enough to compete with the Organization of the Muslim Brotherhood.

With that, Hizb al-Wasat has been able to offer an Islamist discourse that is more pragmatic on a political level than the Brotherhood. And although it has adopted a more conciliatory tone with regard to official policy, the party has tried to maintain a margin of independence in its thinking, which is apparent in certain statements and declarations made by the party that opposed specific official policies.

### **A Lack of Official Concern about Islamist Religious Discourse**

The previous examination of the broad lines which characterize state policy towards the Islamists points to one major observation: The state deals with these movements through a security lens and Islamists are seen as inherently being part of a security “portfolio”; and, thus, it leaves a significant part of the management of this portfolio to the discretion of the state’s security services.

Of course, the fundamental criterion of measure in this security perspective is the extent to which these movements or groups are consistent with or correspond to the interests of the state, and the extent to which they may contribute to its political and social stability. Subsequently, this strategy is not all that concerned with and does not take heed of the content inherent in the religious discourse of these groups and movements, as long as their discourse does not give the state a “security headache” and as long as their discourse does not entangle the state in any major controversies with matters that relate to public opinion.

This approach is evident in the way the state “left things to chance” in the past when it came to the Muslim Brotherhood in

policy towards the Habashis, at that time, was part of the overall strategy the state used to weaken and scale down the size and influence of the Muslim Brotherhood. The Habashis were part of this policy that supported other “Islamist options” in society, and granted these groups open platforms and opportunities to influence and to preach, and to increase their social impact after excluding the Brotherhood from such domains. Indeed, the Habashis did not hesitate to oblige and to provide such services. Both their political and intellectual discourses were, in any case, adverse to the Brotherhood; and, they worked to discredit the Brotherhood in mosques and schools, and through their charitable activities and in their *da’wa*.

### **Hizb al-Wasat (The Muslim Center Party): General Agreement and Disagreement over Details**

In the same context of supporting Islamist groups and movements, which benefit the state’s agenda and which help weaken the Islamist opposition, the relationship between the state and Hizb al-Wasat was one marked by official political and moral support.

Hizb al-Wasat is a political party comprised of a group of young Islamists who, mostly, came from the womb of the Organization of the Muslim Brotherhood, and who were affiliated with the so-called “doves” inside the organization. In 2001, this group joined with other independent Islamists to launch a new political Islamist party. This party differed from the Brotherhood in its close relationship with the state. In contrast to the decision made by the Brotherhood to boycott the parliamentary elections of 1997, this new party believed in total political participation.

The state’s policy towards Hizb al-Wasat has been characterized by complete support from the state. Indeed, the state actually tried to help the party stand on its own two feet in the local

was even accused of having been involved in the assassination of Lebanese Prime Minister Rafiq al-Hariri. At the same time, the Habashis have been involved in armed clashes with members of the Shiite Hezbollah in Lebanon.

What is of concern here is the nature of the official policy in Jordan towards this particular group. A few years ago, there was official support for this group. They enjoyed the freedom to conduct their activities and to work in mosques. They were allowed to establish charitable organizations, schools and Islamic choirs. Finally, they penetrated and were active within (public) religious institutions with impunity. Indeed, the overall impression (and in actuality, this impression is more powerful than the reality) is that this group is “immune” from being criticized politically or by the media; and, that they influence and enjoy the favor of powerful political figures in the state and in society.<sup>39</sup>

But, in the last few years, the state’s support for this group has waned and there has been a shift in the way they are now perceived by official circles. Much of this shift can be attributed to the close relationship that exists between Jordan and Saudi Arabia, which strictly follows a Wahhabi<sup>40</sup> doctrine and which views the Habashis as representing the opposite side of the religious spectrum (from Wahhabism).

Those who observe these groups and the policies related to them go as far as claiming that the official policy towards the Habashis has fundamentally changed since the assassination of Lebanon’s Prime Minister, Rafiq al-Hariri, in 2005 – and with the accusations that the Habashis were conspiring with the Syrians against the late Prime Minister. These accusations have increased official concerns about this group and suspicions abound about their ambiguous political course, especially when it comes to their alleged relationship with the Syrians.

It seems clear that the “pampering” the Habashis enjoyed earlier was based on political considerations and security concerns. The

contexts were, is not the same when it comes to the state's position with regard to *Jamaa'at al-Ahbash* (the Habashis). Indeed, the state's relationship with the Habashis remains quite vague and ambiguous.

The term "Habashis" has been used to describe groups and clusters of individuals who have a presence in numerous Arab and Islamic states as well as in Arab communities in the West. The Habashis follow a Sheikh (Abdullah al-Habashi), who hails from Ethiopia (or *Habasha* in Arabic). His followers believe he is one of the most important scholars of the world's Islamic scholars. Sheikh Abdullah al-Habashi currently resides in Beirut; and, he and his followers are declared followers of the al-Ash'ari Shafi'iyya *madhab* and claim they are Sufists.

A great debate prevails about the views and the religious postures held by the Habashis. What is known about them is that they reject as blasphemous the opinions of renowned Sunni religious scholars, such as Ibn Taymiyyah, Ibn Qayyim al-Jawziyya and later Sayyed Qutub.<sup>37</sup> They also discredit numerous other well-known Islamic scholars and theologians. Thus, they obviously have a hostile relationship with the Salafists, and clashes between the Habashis and Salafists have even reached the point of assassinating one another in several Arab countries.

The *fatwas* which can be genuinely attributed to the Habashis in religious matters are controversial and unclear. There are *fatwas* that the adversaries of the Habashis attribute to them that the Habashis themselves deny. However, what is even more ambiguous is the close, hidden relationship they have with certain governments in more than one Arab country, despite the differences in policies and postures held by these states.

In Lebanon, one of the leaders of the Habashis, officially known as the Association of Islamic Charitable Projects (AICP) or *Jam'iyyat al-Mashari' al-Khayriyya al-Islamiyya* (which also operates under the *Jammat Ahl Sunnah* in the US and other parts of the world)<sup>38</sup>

galvanizing its members in a *da'wa* of *takfir*<sup>36</sup> of the regime and calling for radical change. Two leaders would emerge from within this movement and, over time, they would become two of the most prominent names in the “Global Jihadi” movement that was close to al-Qaeda; they were Abu Mohammad al-Makdessi and Abu Mus'ab al-Zarqawi.

The state's policy towards the Traditional Salafists was marked by tacit support. Indeed, the state allowed the Traditionalists wide margins of space within which they could use their power and influence in the country's mosques and other advocacy platforms, where they were free to preach and conduct their *da'wa*. On the other hand, the state's relationship with the Jihadi Salafists was confrontational, with the state adopting strict and stern security and legal measures to deal with the Jihadis.

In contrast to the relationship with the Muslim Brotherhood, the state's relationship with the Salafists has been quite consistent in either case: It actively supports and employs the Traditionalists, on the one hand, and actively confronts the Jihadis, on the other. This strategy takes security and political interests into account, without showing any real regard or concern for the religious discourse of either movement. Indeed, to a great extent, the discourses of both movements are grounded in the same doctrine and religious jurisprudence. They are similar in the manner in which they deal with women, morality, the arts and many other issues. The fundamental difference between these Salafists appears to be in the stand they take with regard to the government and in the methodology they advocate for affecting change.

### **The State and the Habashis: A Vague, Ambiguous Relationship**

The clarity that marked the state's relationship with the Muslim Brotherhood and the Salafists, no matter how different the

more tense and obstructed phase. The previous rules of political agreement and understanding, which once governed the political game between the two sides, began to wither away as the official view of the Brotherhood became increasingly wary about what it perceived to be the growing influence of the Hamas Movement within the Muslim Brotherhood.

In 2007, the growing tensions and the depth of the crisis of confidence between the two sides were reflected in the state's interference in the municipal and parliamentary elections against the Muslim Brotherhood. The outcome of the latter would strengthen the discourse of hard-liners within the Brotherhood. The organization's *Shura* Council was disbanded, the presence of moderates was significantly reduced and the current within the organization, which was frustrated with trying to find a common ground with the state, began to grow. Indeed, it was this current that stood behind the decision to boycott elections in 2010.

### **The State and the Salafists: Traditional and Radical**

The Salafists began to emerge clearly within the Jordanian social and political scene in the 1980s after Sheikh Nasruddin al-Albani, one of the most important and leading figures in the Salafist *da'wa*, decided to settle permanently in Jordan. A small circle of students influenced by Sheikh al-Albani began to coalesce; and, this circle began to increase in size and expand until the point that it now has a significant influence on society.

In the 1990s, the still waters of Salafism began to stir and a new form of Salafism rose to the surface. This new form of Salafism was opposed to the followers of Sheikh Nasruddin al-Albani and combined the doctrines and ideas of Salafism with Jihadism. These new Salafists began to compete with the Traditionalists over which current was actually the "legitimate representative of the Salafist *da'wa*". The new movement took on an extreme character,

to leave their mark on school and university curricula, particularly with regard to textbooks and curricula related to Islamic education, which would become a vital source for building a certain religious culture in newer generations.

Signs of a shift in the state's policy towards the Muslim Brotherhood began to appear on the political horizon in the middle of the 1980s; and it became increasingly clear in the 1990s, after the parliamentary elections in 1989. These elections revealed the immense political strength the Brotherhood had garnered amongst the Jordanian masses, and exposed the weakness and the regression of leftist, nationalist and secular parties that had once represented a "common enemy" of both the state and the Muslim Brotherhood.

The reversal in the relationship with the Brotherhood began in the 1990s. The state began to employ a policy that aimed to weaken and scale down the power and size of the Brotherhood. It worked to reduce the Brotherhood's influence in parliament, in universities and in mosques, and to restructure the organization's political power, as well as to "pull the social rug out from under the feet" of the Muslim Brotherhood by striking at the organization's social and charitable services infrastructure.

This policy of containment and marginalization transported the relationship between the two sides to the edge of a political abyss and crisis. But, the inheritance of a historical tradition of "co-existence" remained strong enough to be able to "release" some of the pressure points in the more serious crises the relationship faced, and helped preserve certain channels of contact and communication.

With the reign of King Abdullah II, the relationship took on the logic of successive crises and whatever political channels remained between the two sides began to disappear. The portfolio of the Muslim Brotherhood was turned over completely to the state's security services, moving the relationship into a much

occurring at the same time when their intellectual and political project clashed with secular politics.

The relationship between the Brotherhood and the Jordanian state further evolved with the outbreak of the clashes that took place in September 1970 between the Jordanian army and leftist Palestinian organizations. The Muslim Brotherhood in Jordan took a neutral stand during this military struggle, symbolically and politically supporting the regime.

As a political reward, the regime granted the Brotherhood a wide margin of space to conduct their work and activities, and to expand, particularly within Jordanian communities (especially those of Palestinian origin) and “fill the gap” left by leftist organizations. Indeed, this is exactly what would take place later: The Muslim Brotherhood’s power grew. The organization built its capacities of recruitment and mobilization from within an expansive network of social, charitable, economic and services institutions that all contributed to building the organization’s popular base, which, over time, transformed the Brotherhood into the largest political organization in Jordan.

During that period (the 1960s, the 1970s and the first half of the 1980s) the regime allowed the Organization of the Muslim Brotherhood a wide latitude of freedom in which to conduct its activities in mosques, through volunteer activities (the Red Crescent, for example), in schools, in community colleges and in religious and cultural charities and associations. The Brotherhood invested well in this “open” opportunity and worked hard to exploit this space to disseminate its religious and intellectual discourse to the Jordanian populace.

During that time, members of the Brotherhood were also not prevented from working in various domains in the public sector, particularly in education (schools, colleges and universities) and in the Ministry of Awqaf and Islamic Affairs. All this opened doors for the Brotherhood to recruit, expand and influence. They were able

## **The State and the Organization of the Muslim Brotherhood: From Employment to Marginalization**

From the time of its establishment, which also coincided with the independence of the Jordanian state, the Organization of the Muslim Brotherhood enjoyed a special relationship with the regime, characterized by a sense of co-existence. From the 1950s to the 1970s, the two sides enjoyed a relationship in which both mutually benefited from one another and employed one another, experiencing only certain momentary disturbances.

In the 1950s, the relationship between the state and the Muslim Brotherhood oscillated between cooperation and crisis, as was the case with all the other political parties that existed at that time. However, the relationship witnessed a greater degree of stability and co-existence after 1958, with the dissolution of other political parties and with the emergence of Baathist and nationalist parties in the Arab region that bore a negative opinion and stand against both the Jordanian regime and the Brotherhood.

These regional developments had an impact on the Jordanian domestic formulation. Leftist parties and forces were active to a large degree and enjoyed a large popular presence domestically. These parties had strong links with neighboring Arab regimes. Consequently, the Jordanian regime found a political, popular and dynamic ally in the Muslim Brotherhood, which it could employ to discredit these parties and forces, and which it could use to turn public opinion against them, as they were considered “anti-Islamic” in the discourse of the Brotherhood. The state would also find it useful to employ the “Brothers” in the street to bolster its political stability against attempts to undermine it.

Meanwhile, the Brotherhood found safe haven in the Jordanian regime at a time when they were otherwise engaged in bloody, political and existential battles in Syria and Iraq, and with the Nasserite regime in Egypt. Executions, arrests and campaigns to liquidate the leading cadres of the Brotherhood organization were

through strict security measures and controls. In the cases of Jamaa'at al Da'wa wal Tabligh<sup>32</sup> and the Sufists, the state shows a great measure of tolerance and leniency, while Hizb ut-Tahrir<sup>33</sup> has been prohibited and is banned by law. At the same time, the state has adopted certain (political) parties such as Hizb al-Wasat (the Muslim Center Party)<sup>34</sup> and supports the party's platform, which represents it as a "global forum for the Islamic center". Meanwhile, the state's policy towards the Habashis (*al-Ahbash*) differs depending on the prevailing political circumstances, and on whether or not there is consensus about them inside the Kitchen Cabinet during those times. Despite the fact that the state grants Jamaa'at al Da'wa wal Tabligh plenty of space and freedom, it does so only as long as the Jamaa'at maintain their position of non-interference in matters of politics and as long as they preach and maintain this religious-political line. With that, the latter remains under the watchful eye of state security because its large, unstructured, gelatinous organization is easily susceptible to being infiltrated by other Islamist groups.<sup>35</sup>

With this context in mind, and in the next section, we shall proceed with clarifying the policies of the state towards certain Islamist groups that are active in the social and political domains, while other parties and groups will be excluded from any further examination, as the state's policy towards them is quite simple and clear. An example of the latter would be Hizb ut-Tahrir, which is legally banned, judicially condemned and is actively pursued by the state's security services. Indeed, the state's policy towards this movement does not require further detailing or clarification. The same is true for Jamaa'at al Da'wa wal Tabligh and certain currents of the Traditional Sufist movements, such as al-Taba'iyat al-Ijtima'iyya, with whom state policies do not directly clash, and whom the state allows significant latitudes of freedom to conduct their activities, as long as they do not lean towards political activity and engagement, and as long as they or their members do not appear to behave in a manner that is worrisome in terms of security.

religious jurisprudence except for the question how these may have repercussions on matters of security or lead to social tensions. In general, religious institutions (affiliated with the state) have been careful to avoid provoking any clash with the public, popular mood, and are careful not to incite this “mood” by showing support for movements that have adopted controversial or contentious views and opinions.

One political source familiar with this subject says that, by and large, the state’s policy towards these movements takes into consideration its political interests and its ability to employ these movements in a manner which serves state policy, its vision and its interests. At the same time – according to this source – there is also a “strategic vigilance and caution” with regard to these movements, in general, even with those which, for the time being, work within the scope of official policy and with the interests of the state. Because, even if these movements differ on a tactical level, all of them strategically agree upon the “dream of establishing an Islamic state”. They also all concur on the need to change the very structure of the political system and its institutions and on the need to affect great social transformations. Finally, these “dreams” are represented in their continued efforts to “change the political system, the constitution and prevailing political conditions”.

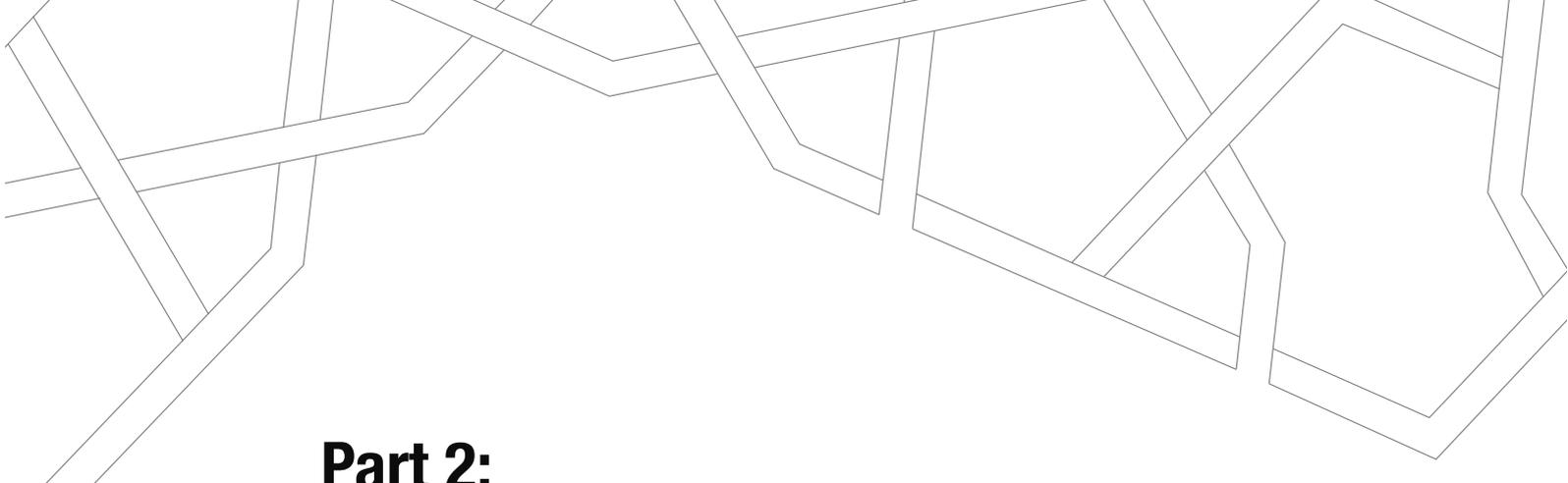
In other words, the “political equation” and security considerations are what governs state policy towards Islamists, whether that policy is expressed in a strategy of containment, employment, marginalization, confrontation, exclusion or outright prohibition. Indeed, in dealing with the Islamists, every one of these options has, at one time or another, been used by the state. The relationship of the Organization of the Muslim Brotherhood with the state evolved in such a manner that the state employed the strategy of containment, marginalization and eventually exclusion (from the political equation). With the Traditional Salafists, the state maintains a policy of employing or exploiting the movement in serving certain immediate interests of the state. Meanwhile, the official policy towards the Jihadi Salafists is confrontation

The relationship between the state and Islamist groups and movements represents one of the major components affecting Jordan's official religious policy. For, despite their differing ideologies, schools of thought and the strategies they advocate for bringing about change, the vast majority of these movements are active in the religious domain. And, despite the wide range and diversity in religious and political discourses held by these movements, they conduct the majority of their activities in mosques, and extend to schools, universities and the services sector.

In the matter under study here, responding to certain fundamental and dynamic questions will assist in the examination of the state's policy towards these Islamists. These questions are as follows: Has the state sought to build an enlightened Islamic current or did other considerations take over and factor into its relationship with the Islamists? Then, with regard to this relationship, does the state consider the religious discourses of these Islamist movements when it forms and draws up its policies, or is it indifferent to these? Finally, did the matters in which these movements shared consensus or conflicted with the state contribute to shaping and influencing the prevailing religious culture in society?

To begin with, the state's policy towards Islamists and Islamist groups and movements is generally subject to purely political and security considerations. This policy is not prejudiced by these groups' religious character or content, or by their particular





**Part 2:**  
**Dealing with the Islamists:**  
**Security and Politics Prevail**



In parallel, the state began to work on another front, dealing with extremists and militant Islamist currents active in Jordanian mosques and their religious *fatwas*. A number of laws were passed, such as the prevention of terrorism act (a law that dealt with preaching and religious guidance) and the law on public religious rulings and *ifta* (the act of issuing a *fatwa*). The latter would affect institutions and policies (that will be discussed later in this study); but it has been presented here to provide a quick perspective on the state's overall strategy. Indeed, this strategy merged an intellectual and religious approach to strengthening the state's religious (and security) institutions and worked to reduce the sources of strength feeding oppositional and radical Islamists in the mosques and other public pulpits and platforms from which they preached and issued their *fatwas*.

of those linked to Shiism in Jordan were pursued and arrested, while numbers of Iraqi Shiites were deported by the state's security services on the suspicion that they were spreading Shiism inside Jordanian society.

The second track of official concern with regard to Shiism, as one senior official explained, was based on the rejection of the principle of religious proselytizing amongst the numerous religions and sects in Jordan, to begin with. Official concerns about proselytizing were linked to fears that such activities could jeopardize internal stability and domestic peace. Thus, and in accordance with this policy, the state also rejects any religious proselytizing by Muslims targeting Christians, and vice versa. Obviously, this policy also reflects the conservative character of the Jordanian model, even when it comes to dealing with different religions, sects and denominations.<sup>30</sup>

### **The Amman Bombings: Changes in Religious Policy**

The Hotel Bombings in Amman at the end of 2005, executed by several suicide bombers from al-Qaeda in Iraq (also referred to as AQI), which led to the murder and wounding of dozens of Jordanian citizens, led to a re-evaluation of the security strategy being used to confront al-Qaeda and other Islamist organizations that revolved around al-Qaeda. The outcome of this reassessment was the adoption of the concept of the “preemptive strike” in which members of al-Qaeda would be pursued prior to their entry into Jordan.<sup>31</sup>

However, the more important notion that began to circulate amongst official circles was the idea of a “preemptive” cultural strategy. This cultural strategy would contribute to building an “internal immunity” against the spread of extremism amongst Jordanian youth and would help confront al-Qaeda intellectually and legally, and not just through a purely security-based strategy.

established within the context that Jordan should be presented as a model of centrism, dialogue and openness. The Aal al-Bayt University followed, also founded upon the principles of centrism, moderation and tolerance and in an effort to create a Jordanian message of religiosity that was open to all religions and sects.

However, these initiatives would not last long and this spirit did not become entrenched domestically. There was a clear and official refusal to admit that Shiism had a presence in Jordan, despite the claim by certain Jordanian Shiites that thousands of Jordanian families had converted to the Shiism, decades ago, particularly in cities in the north of the country. The position against Jordanian Shiites would later extend to establishing a section in the General Intelligence Department to combat the spread of Shiism, especially after political and strategic differences began to polarize between Jordan and other Arab countries friendly with the United States on one side and Iran and the so-called “axis of opposition” on the other.

The sense of official Jordanian concern with regard to the spread of Shiism took two principle tracks. The first was related to security concerns, particularly after the July War of 2006 in Lebanon, and the outcome of that war, embodied by Hezbollah’s “symbolic victory” (according to the term coined by the former U.S. Secretary of State Henry Kissinger). These security concerns extended to the emergence of what official circles would call “political Shiism”, and the link made between this phenomena and claims that religious, political Iranian-Shiite activities were spreading throughout the Arab region. Exacerbating matters were the rising tensions in Jordanian relations with Iraqi Shiite powers who had loyalties to Iran, particularly during the first years after the occupation of Iraq in 2003.<sup>29</sup>

All these developments reflected on religious policy. Both moral and political support was offered to Islamist groups, as well as to sources in the media that were suspicious of the Shiites and Iran, and of their intentions in the Arab region. In the same vein, several

religious policy, this does not prevent the emergence of certain currents within or on the margins of the state's public institutions, which do advocate a certain religious tendency. Historically, the overwhelming "official" tendency within religious institutions in Jordan has leaned towards (previously) the Hanafiyya<sup>25</sup> *madhab* (school of law in *fiqh* or Islamic jurisprudence within Sunni Islam) or (later) the Shafi'iyya<sup>26</sup> *madhab*. Meanwhile, Ash'ariyya<sup>27</sup> theology and the Sufist tendency that emerges within this school of theology, has become embedded in the Religious Advisory Section of the Jordanian Armed Forces and the educational curricula of schools and universities.

However, Salafism, which emerged in Jordan in the 1980s, began to expand progressively in presence and influence, and increasingly attracted followers and supporters. The evolution of Salafism in Jordan was significantly influenced by Jordan's geographical proximity to Saudi Arabia, and by Saudi Arabia's consistent efforts to spread this discourse throughout the Arab world. Many of those working and studying in the Gulf were influenced by these efforts.<sup>28</sup>

The rise and spread of Salafism in Jordan created a serious rift with the Traditional Sufist current; and, this struggle manifested itself in the competition that emerged between these two currents inside the state's official religious institutions. The two currents also struggled over power and influence inside Jordanian mosques; and, each worked to spread its particular views and ideas. Despite the fact that the Traditional Sufist current has been historically embraced by official institutions, it became clear that the state would not interfere in such matters. It maintained a strict, uncompromising policy of neutrality when it came to these religious differences and conflicts over religious jurisprudence, and subsequently kept to the sidelines in cases where one side was victorious over the other.

At a later stage, in the mid-1990s and through the Khoei Foundation in London, Prince Hassan bin Talal of Jordan took an initiative to open up to the Shiite sect on an international level. Prior to that, the Royal Aal al-Bayt Institute for Islamic Thought was

religious manifestations on society; but, at the same time, they do not openly promote any Western manifestations. Furthermore, political crises, internal or regional struggles have not reflected upon or influenced this firmly established state policy.

The state's "religious neutrality" has also been reflected in its overall management of religious policy. Indeed, the state does not seek to advocate or promote one particular religious faith or sect, and does not adopt any clear positions, either politically or culturally, with regard to any of the prevailing internal Islamic tendencies – which, at one point, reached the point of a serious struggle, particularly between the traditional Sufist current that once dominated society and Salafist<sup>24</sup> currents, whose presence have significantly increased since the 1980s.

However, this firm policy of neutrality exists only in the "religious domain". Otherwise, the general rule governing the state's policy in the political domain and with regard to security is quite clear. The state will employ, exploit or contain religious, Islamic and other such currents according to the needs of the political moment or according to immediate or prevailing security considerations and circumstances.

Indeed, the relationship that has evolved between the state and Islamist groups and other religious tendencies (Sufist, Salafist, Traditional, etc...) has always been characterized by neutrality and non-interference when it comes to theological or religious differences or conflicts of religious jurisprudence – as long as these conflicts and differences did not or do not affect, influence or reflect upon political or security policy and considerations. In these matters, the state does not adopt any particular theological or religious position, and does not adopt any particular position in terms of religious jurisprudence.

This general policy does not negate the fact that certain particulars and varied nuances do exist in this particular domain. For, despite the fact that the state does not adopt any specific "official" religious jurisprudence or tendency with regard to its

a significant role in providing religious guidance and education inside these institutions.

Despite this clear respect for religious practice and sentiment, policy-makers in Jordan have taken an obvious margin of distance from the discourse of Islamist groups and their ideologies. And, they have made sure that policy is not influenced or interfered with by religious considerations when it comes to defining the state's political interests as determined by the state's Kitchen Cabinet.

For example, despite the overwhelming opposition of religious currents, and particularly Islamist movements, to the Jordanian-Israeli peace accord and despite the objections these currents and movements waged against the regime in their protests, demonstrations and religious *fatwas* (which religiously prohibited such a peace treaty), the regime insisted on ratifying the peace treaty. Furthermore, the state did this without insisting on using *fatwas* by official religious institutions to confront the position held by Islamist groups and movements. In fact, it took an official position that it would not, by any means, engage or become involved in any of the religious debates or debates in religious jurisprudence over the legality of the peace process and its treaty.

On the other hand, all the state's ministries and public institutions issue directives and follow procedures that emphasize the need to respect religious sentiment, and that no offense or disregard for such religious considerations should come forth from these institutions. For example, in the holy month of Ramadan, nightclubs and bars are closed and the sale of alcohol and alcoholic beverages is prohibited during the day.

## **Religious Neutrality and Political Utilitarianism**

Institutions of the state take a position of "neutrality" when it comes to religion. They do not seek to impose any form of

The “conservative secular” character of the state was further reinforced in the more than 40-year reign of King Hussein bin Talal (1953-1999). Indeed, it was during the reign of this king that the principal milestones for building the nation and its institutions and for securing the stability of the state took place.

However, the requirements of nation building, the social development needs and the rise of diverse intellectual, political and secular thinking inside society led to a situation where a kind of “co-habitation” took place. A parallel existence emerged between various manifestations of Westernization and of Islam inside Jordanian society. But, in Jordan, there would be no sharp clashes between these ways of thinking and these manifestations like in other Arab countries and societies.

With that and from the outset of the late King Hussein’s reign, on a political level the Jordanian state clearly sided with conservative currents against the more extreme secular movements. A kind of “political deal” was made with the Organization of the Muslim Brotherhood<sup>22</sup> in an effort to fortify the state’s legitimacy in the face of the more secular and leftist discourse that tried to undermine the regime and accused it of being subservient to the West.

The serious conflict between the state and the secular-leftist currents – from the early 1950s and throughout the 1960s and 1970s – drove the regime to open channels for a religious discourse that would help confront and oppose the spread of the left and nationalist movements. This approach would reflect on the relationship that later developed between the state and the Islamist movements, and paved the way for these movements to spread their influence through society’s social, religious and cultural pulpits. This Islamist influence would find its way to sovereign institutions as well. For example, a religious advisory section was established in the Jordanian Armed Forces, which focuses on religious issues, matters of religious jurisprudence and the spread of the *da’wa*<sup>23</sup> inside the army. A similar section was established for the state’s security apparatuses, which also plays

“*mila’a* (a recognized sheet-like cover which is considered obligatory attire for a Muslim female when outside her home) and also cautioned that the headdress men wore in public should also be consistent with “the recognized and proper virtues the nation had inherited.”<sup>19</sup>

No penalties were included in any of these decrees and directives; and, thus, they remained advisory. Furthermore, no official laws were issued in the *Official Gazette* with regard to these issues. Indeed, the 1940s would be a decade that witnessed a general departure from such traditions, and a mass “unveiling” made its way to Amman because the state actually relaxed its enforcement of such directives. Also, none of these directives were backed by Islamic rulings or *fatwas*,<sup>20</sup> which also required women to wear the veil, or defined what the restrictions of veiling entailed. The understanding that many women held, at that time, with regard to what was “proper attire” was more related to customs and tradition than what was perceived as “righteous or sinful”. All this points to the fact that the religious concerns and beliefs held by King Abdullah I were of a more personal nature, and citizens were not duty bound to adhere to his personal view and opinion on such matters.

In many cases, state officials actually disregarded religious provisions if they were perceived as conflicting with state policies. Other authority figures were subjected to different kinds of pressures, such as in the case of Sheikh Sa’id al-Karmi, who would leave his post of Chief Islamic Justice in 1925 over a disagreement on the legality of selling off certain religious endowments (the *waqf* associated with the shrine of *al-Sahhaba* Abu Ubaydah<sup>21</sup> in the Jordan Valley). Sheikh Karmi and Prime Minister Ali al-Ruqabi both were of the position that the lands in the Jordan Valley endowed to the shrine of *al-Sahhaba* Abu Ubaydah should not be released (from their *waqf* status) while British Mandate authorities insisted on the reverse and considered these lands as part of the emirate’s national treasury. When Sheikh Karmi found no one amongst senior officials to heed his calls on this controversial matter, he resigned.

encourage al-Nahhas Pasha, on behalf of the conference, to ask the government of Saudi Arabia to seek a constitutional administration and an accountable government in Hijaz, founded upon this basis.

However, religion would play a major and important role in the evolution of the Jordanian state. The state and successive kings had religious policies and postures, the evidence of which are seen in the personal conduct of and positions taken by kings, in the Jordanian constitution, in Jordanian law, in the state's regulations and procedures, in its legislation, its educational curricula, its official and semi-official media, in state policies, ministries and the army, in the official and public sector, and in specific religious institutions such as the Ministry of Awqaf and Islamic Affairs, the Office of the Chief Islamic Justice and the Religious Advisory Section of the Jordanian Armed Forces."<sup>17</sup>

Emir (later King) Abdullah I indeed paid heed to religious matters. However the bulk of this attention was directed towards matters of religion related to public conduct, customs and traditions. For example, in a directive he sent to one of his Prime Ministers, he insisted that public authority figures commit to and perform their religious duties, such as daily, Friday and Eid prayers. In the directive, he also asked that no public figure neglect the obligation of fasting in Ramadan; and, that authorities in rural areas, mayors and heads of tribes should perform these duties as well. He asked that senior officials pay attention to these instructions, and that they refrain from consuming alcohol and from gambling. With regard to the subject of alcohol, the directive also recommended that the government consider reducing the import of alcohol, after "its excessive consumption had spread and even penetrated the tents of Bedouins."<sup>18</sup>

In another directive sent to Prime Minister Tawfiq Abu al-Huda, Emir Abdullah focused on the proper attire of women in public life and of female students in schools. In another decree, he stressed on the need for women to adhere to the appropriate cover, or

“In the application of the provisions of this Basic Law, the Personal Status Law relates to all cases concerning marriage, divorce, family remittance, alimony, guardianship, legitimate paternity, adoption of minors, the disposing of funds and monies related to wills, inheritance or gifts of those under legal guardianship, and in the administration of funds and monies of absentees. Article 51 further stipulates that the Sharia Courts will exercise its jurisdiction according to the provisions of the Islamic (Hanif) Sharia.”<sup>16</sup>

Indeed, the “conservative secular” character of the state is eloquently expressed in the following passage by researcher Ibrahim Gharaibeh, who says:

“Although the Jordanian state was not religious in the same sense or manner as the Kingdom of Saudi Arabia, which was founded in about that same time period, or in the sense or manner in which the Islamic Republic of Iran was established in 1979, or in the manner in which Pakistan was established on the basis of Islamic nationalism in 1947, Jordan was founded in 1921 upon the religious legitimacy of the Sharif of Mecca, Hussein bin Ali, who led the Great Arab Revolt against the Ottoman Empire during the First World War. And, although Islam was a principle point of reference in the governance, culture and traditions of the state and its founding king, Abdullah bin Hussein, the king chose, with full awareness and with a sense of conscious, advanced planning, to establish a hereditary monarchy and not an Islamic caliphate. He was clearly aware and attentive to the differences between a caliph, a king and a sultan.

All the directives, statements and pragmatic approaches which accompanied the founding of the Emirate of East Jordan clearly demonstrate that the state philosophy adopted by King Abdullah was that of a modern monarchy, modeled upon European monarchies, inspired by Islam and history as a contextual point of reference and framework. In a letter he sent to the guardian of the throne of Iraq, Emir Abdul Ilah bin Ali, in 1943, the king expresses his conviction that it was the duty of Baghdad and Amman to

## **The Judiciary: A Legislative Separation between the Civil and the Religious Domains**

In its nascent period, the state continued using Ottoman legislation, including Ottoman family law. However, over time, and little by little, legislation influenced by Western laws began to replace the Ottoman laws in force in Jordan. The state's legislation began to take on a civil character, whether that legislation was enacted by parliament or issued by governments in the absence of a parliament. Furthermore, and quite often, a significant share of these laws substantially contradicted and differed from recognized Islamic legislation in force.

However, there was (and remains) a clear intention to avoid provoking any direct “head-on collisions” between the policy of the state and Islamic law (*Sharia*). And, efforts were (and are) made to ensure, as much as possible, that such conflicts would be limited so that they would not negatively influence or affect the equilibrium created between the civil character of the state and the state's respect for Islam.

On the other hand, there would be a complete separation between religious and civil affairs in the judiciary. The Jordanian judiciary would be marked by a division of the courts into two systems: Courts of Islamic law (Islamic *Sharia*) and procedural, civil courts – with personal status coming under the jurisdiction of the Islamic *Sharia* courts.

Article 50 of the Basic Law of East Jordan,<sup>15</sup> declared on April 16, 1928, that “the Sharia Courts have exclusive jurisdiction in all matters of personal status of Muslims under the provisions of the resolution and regulations of the Sharia Courts, dated 25/10/1333 AH, and it is an Ottoman law issued in 1914 AD. Unless amended by any law, regulations or temporary legislation, the Sharia Courts alone have jurisdiction over any provisions related to establishing any Muslim *waqf* or interest related to the Sharia Court in the internal administration and regulations of any *waqf*.” Furthermore,

respect for different religions – whether that be manifested in freedom of worship, or in matters and issues related to different faiths or forms of worship, or otherwise.

## **The Political System: “Conservatism”: A Strategic Choice**

Politically, it was obvious that Prince Abdullah I was cautious to ensure that a clear distinction and separation be made between politics and religion in Jordan. In 1923, he made a decision to form a council, called the “*Shura Council*”<sup>13</sup>, which was headed by the Chief Islamic Justice at that time, Sa’id al-Karmi. One of this council’s major tasks was to formulate and interpret laws, regulations and procedures. However, this council was dissolved in 1927 and a national council was formed, to be followed later by other parliamentary councils, which reinforced the secular nature of the governing regime in principle and in substance.<sup>14</sup>

This focus on a civil political nature did not prevent the emergence of a conservative character to the state, which was hostile neither to religion nor to Islam. On the contrary, there was an insistence by the prince to show his great appreciation and respect for the practices and sentiments of Islamists. And, Prince Abdullah I would recruit many religious and Islamic scholars into his council and court including the Sheikhs Kamel al-Kassab, Mohammad al-Khodr al-Shanqiti, Sa’id al-Karmi, Hussam al-Din Jarallah, Mohammad Hashem al-Saqqaf, Mohammad Ali al-Jaabari, Abdullah Ghosheh, Abdul Hamid al-Sayeh, Hamza al-Arabi, Fuad al-Khatib, Aboud al-Najjar, Nadim al-Mallah and Ibrahim al-Qattan.

the Kingdom, unless such is inconsistent with public order or morality.”<sup>7</sup>

The articles of the Jordanian constitution do not allow for any ambiguity or grey areas in which a religious character to the state could be construed at the expense of the civil political order and system. At the same time, there are no hostile postures taken towards Islam and Islamic law (*Sharia*) anywhere in the constitution. Instead, Article 105 accords Islamic *Sharia* courts exclusive jurisdiction over matters concerning the personal status of Muslims and over cases concerning *diya*,<sup>8</sup> as well as any matters pertaining to an Islamic *waqf*.<sup>9</sup> Article 106<sup>10</sup> further stipulates that these *Sharia* courts shall in the exercise of their jurisdiction apply the provisions of the Hanif<sup>11</sup> *Sharia* law.

On the other hand, and with regard to other religious communities, Articles 108, 109 and 110 of the constitution stipulate that, “(Article 108) The Tribunals of Religious Communities are those for the non-Moslem religious communities which have been or will be recognized by the Government as established in the Hashemite Kingdom of Jordan. **(Article 109)** (i) Tribunals of Religious Communities shall be established in conformity with the provisions of laws pertaining thereto. Such laws shall define the jurisdiction of such Tribunals in matters of personal status and *awqaf* (plural of *waqf*) constituted for the benefit of the community concerned. Matters of personal status of any such community shall be the same matters as are, in the case of Moslems, within the jurisdiction of the *Sharia* Courts. (ii) Such laws shall determine the procedure to be followed by the Tribunals of the Religious Communities. **(Article 110)** Special Courts shall exercise their jurisdiction in accordance with the provisions of the laws constituting them.”<sup>12</sup>

In summary, the provisions of the Jordanian constitution are clear in their emphasis on the civil (and civic) nature of the political system, which is founded upon the principle of citizenship in terms of rights and obligations. And, it makes a clear distinction between religious and (civil) political matters, and is clear in its

electoral law amended in a manner appropriate to the spirit of the country, its place, its people and its environment.”<sup>3</sup>

The Jordanian state has been able to maintain and preserve this “civil” and “secular conservative” character over the 90 years of its existence and throughout successive generations of kings: King Abdullah I, King Talal bin Abdullah, King Hussein bin Talal and today, King Abdullah II bin Hussein. The state has never deviated from this general path, at any stage in time. And, these attributes and considerations have remained a fundamental feature of Jordanian policy, with “secular conservatism” manifesting itself in numerous realms, constitutionally, politically, religiously and even culturally and socially.

### **The Jordanian Constitution: No Grey Areas**

Article 2 of the Jordanian constitution expresses without any ambiguity, the characteristics embedded in this prototype of “conservative secularism” in Jordan. It stipulates that, “Islam is the religion of the State and Arabic is its official language.”<sup>4</sup> Clearly, this article avoids any specific term or phrase which could be interpreted as instilling a religious character to the political system, as is the case with Iran which uses the text of the 12<sup>th</sup> Sect,<sup>5</sup> or Saudi Arabia and Israel which do not have constitutions in any case, and instead rely on their holy books.

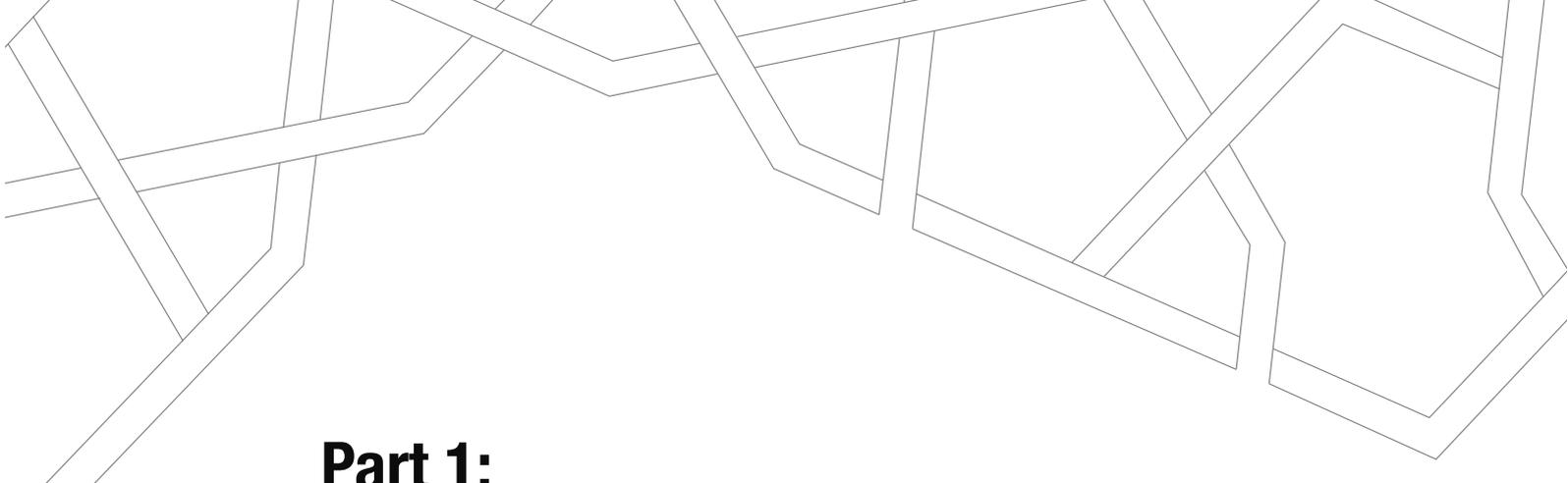
This balance appears in other constitutional articles that further expand on what is stipulated in Article 2. For example, Article 6/1 states that, “Jordanians shall be equal before the law. There shall be no discrimination between them as regards to their rights and duties on grounds of race, language or religion.”<sup>6</sup> This article stresses that citizenship is one of the major pillars upon which the dynamics of the country’s relationship with its individual citizens and groups function. In addition to the latter, Article 14 states, “The State shall safeguard the free exercise of all forms of worship and religious rites in accordance with the customs observed in

From its inception, Jordan has been characterized as a civil and not religious state. And religious, here, is meant in the Western sense, meaning that this does not negate that the ruling regime has an overall conservative character that, to a great degree, reflects the royal family's heritage and the continuation of a historical legacy. Indeed, it is this heritage and the longevity of this historical legacy carried by the royal family which has helped secure and ground its legitimacy and sense of legitimate representation.

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The state was not established on a religious foundation and its legitimacy has not been built around any revolutionary or sectarian "religious ideology". Nor does it lay any claim or allege to aim to establish an Islamic state in the style of the Islamist movements. Indeed, from the outset, the country's founder, Prince Abdullah I, was very cautious to ensure that the state would have a civil political character. He was clear to reinforce this message on May 15, 1923, during a celebration in which the country's independence was declared, when he said, "On this special occasion, I declare that the fundamental law for this area will be created, and the





**Part 1:**  
**“Conservative Secularism”:**  
**In the Context of the Relationship**  
**that Evolved between**  
**the Jordanian State and Religion**

This study seeks to discuss and debate these questions in an attempt to reconstruct the general features and attributes of this state and its policy model, and in an attempt to define this model's characteristics and nature relative to other models, both Arab and on a more global level. Finally, these academic objectives will be sought by addressing the following themes:

“Conservative Secularism”: In the context of the relationship that evolved between the Jordanian state and religion

- Policies used in dealing with Islamist movements: Utilitarian policies and policies of containment
- A general mapping of religious institutions and policies in Jordan
- Conclusions: “Religious Policy Kitchen Cabinets”

and has given these movements the space to expand and to have influence.

Indeed, the experience of the Islamists in Jordan, in general, has been diametrically opposed to that which many other Islamists and Islamist movements in other Arab countries have experienced, where they have been banned, repressed and imprisoned and have engaged in bloody confrontations with their respective states. However, despite the balanced approach taken towards Islamists and Islamist movements in Jordan, the state has been careful to maintain a clear distance from them, and will sometimes even confront Islamists and Islamist movements that call for establishing “Islamic states”.

It is of our opinion that this “Jordanian model” deserves a more in depth reading and analysis, particularly in responding to the following major questions:

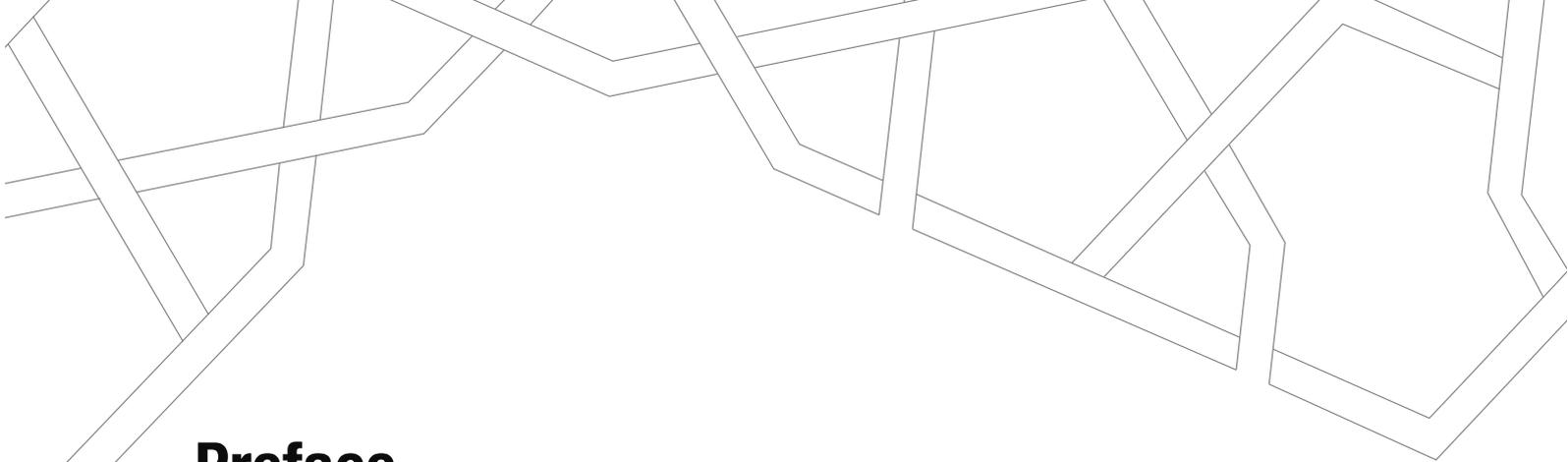
- What are the major features and attributes of the relationship that has evolved between religion and the state in Jordan? Is the Jordanian model closer to a conservative, liberal or traditional Islamic approach?
- What are the general characteristics of the official policy towards Islamists active in the religious domain in Jordan?
- How has this “balance” and have these considerations been reflected in the state’s management of “political religion”? And how has the state dealt with the impact of “political religion” on the legislative level, particularly when it comes to religious institutions and to the role religion plays in public life?
- Finally, is there a formal “Kitchen Cabinet”<sup>2</sup> for religious policy or are there several (policy) “Kitchens”? And, were there stages or periods in which these policies were clearly evolved and were there stages or periods in which they developed differently?

the Jordanian regime has been more careful to avoid any religious posturing or affects. For example, where the Moroccan king carries the nomenclature of “*Amir al-Mumineen*”,<sup>1</sup> successive Hashemite rulers have, from the outset, been careful to maintain a clearly modern, secular framework for the state according to an unambiguous spirit of a constitutional (parliamentary) monarchy.

Despite the above, the Jordanian state has also never neglected religious considerations, particularly in its domestic policies and to a lesser extent in its foreign affairs. And, it has always remained committed to respecting the religious sentiments that prevail in Jordanian society, albeit while ensuring a large measure of personal freedom and religious tolerance between different religions and between different Islamic sects is maintained – a reality which is clearly reflected in the relationship between Muslims and Christians (who are a minority in Jordan) as well as between other Muslim ethnic groups (such as the Circassians, Chechens and Kurds).

This balance has led to “positioning” Jordan within a category that is closer to what one would term “conservative secularism”. The state’s political framework, institutions, domestic and foreign policy are secular in character while, at the same time, the state will take religion into account when considering various legislations and certain policies. Meanwhile, it does not adopt any specific religious ideology (such as Wahhabism in Saudi Arabia or Jaafari (Shiite) Islam in Iran), and maintains a “neutral” stand when it comes to internal religious struggles and conflicts between the different religious schools of thought and jurisprudence.

These Jordanian “balancing points” have reflected upon the relationship that has evolved between the state and the various Islamist movements which exist in Jordan, and particularly the Organization of the Muslim Brotherhood. Indeed, relative to other Arab states, Jordan offers a pioneering approach in its relationship with the Islamists. It allows Islamists to register their organizations and to conduct their activities with some measure of freedom,



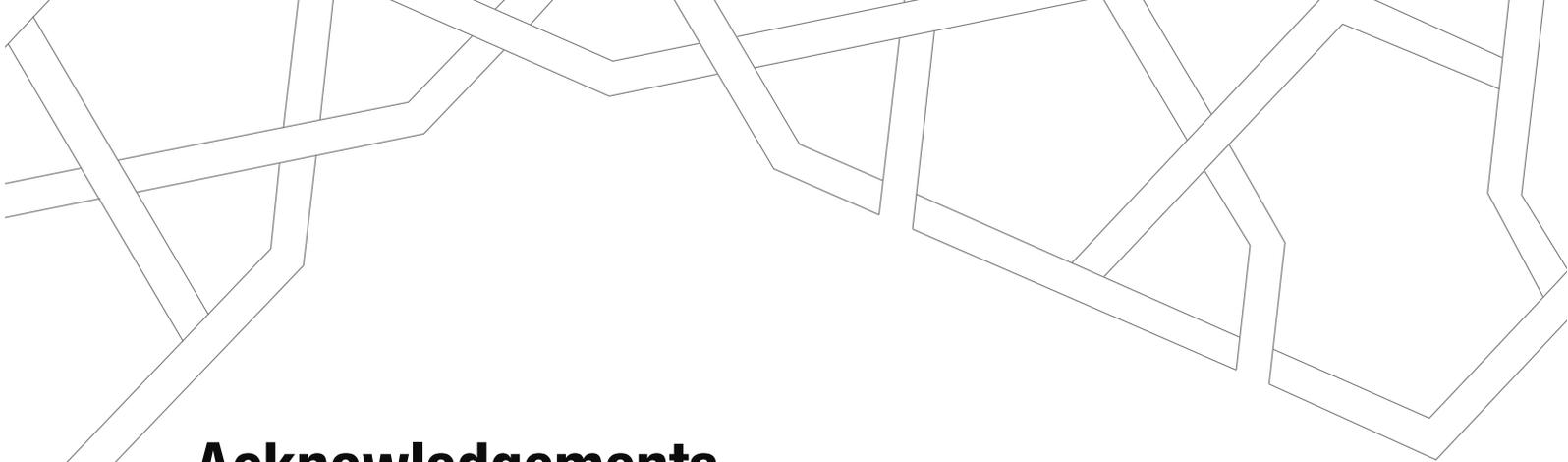
## Preface

Since the Emirate of East Jordan was established nearly 90 years ago, Jordan has been able to attain a consistent and stable equilibrium in the relationship that has evolved between the state and religion. Indeed, Jordan has managed to create a formula that has been successful in simultaneously circumventing either strict ties with religion or direct confrontations with it, and has been able to protect this delicate “equation” from infiltrating and affecting certain matters of the state, and separating it altogether from others.

The Jordanian nation-state never structured its legitimacy upon a purely religious “ideology”, nor did it take Islamic law (or Islamic *Sharia*) as the only reference for its legislation or in its legislative practices. Furthermore, it has not subjected either its domestic or foreign policy to any religious tenets or constraints, as is the case with states such as Saudi Arabia or Iran. On the other hand, it has also never founded its legitimacy upon a revolutionary kind of secularism that internalizes an inherently confrontational spirit in its dealings with conservative or religious currents, as is the case with revolutionary and ultra-nationalist Arab states such as former South Yemen and the Tunisian regime today. Indeed, secular regimes in the area have waged fierce, bloody battles and political wars with Islamist currents and movements, as is the case with Syria, Iraq (formerly) and in the aftermath of the post-Nasserite period in Egypt.

Although similarities have been drawn between the Jordanian and Moroccan regimes, in terms of their hereditary, constitutional (parliamentary) monarchies and their claims of hailing from the lineage of the Prophet Mohammad (May Peace Be upon Him),





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Dr. Mohammad Abu Rumman  
June 2011





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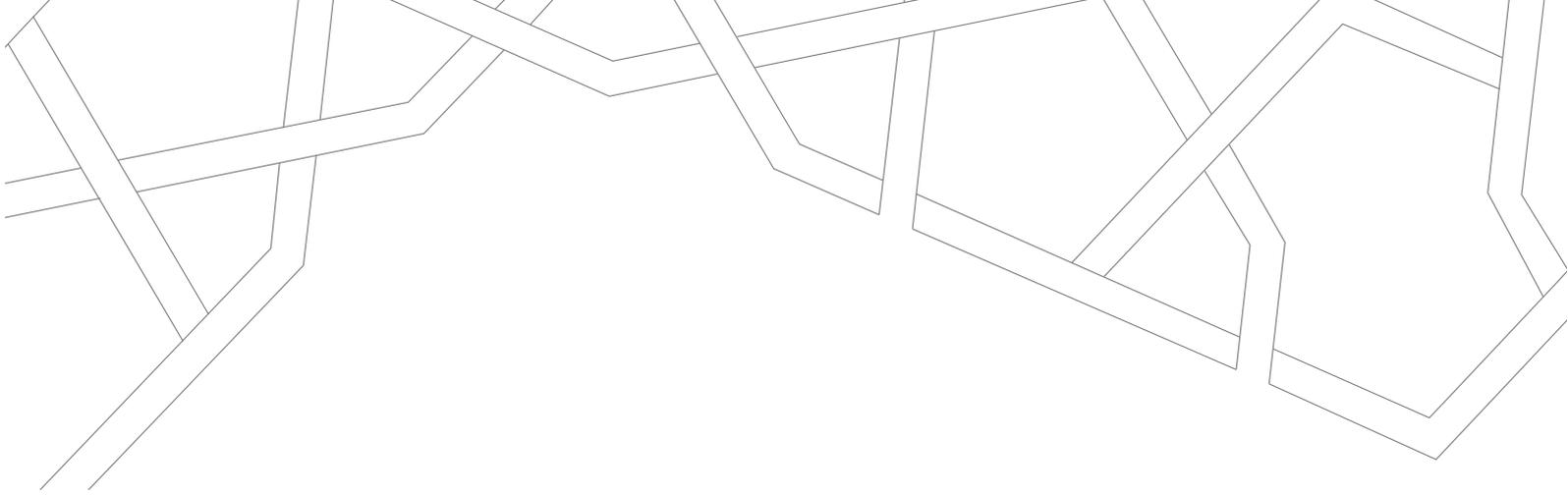
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