

# Jordan

The Hashemite Kingdom of Jordan is a sovereign state with a constitutional monarchy in western Asia with a population of approximately 7.9 million. More than 90% of citizens are Sunni Muslims and there are small communities of Christians, Shiites, Baha'i and Druzes. Jordan significantly restricts freedom of religion, belief, and expression. The constitution, government policy, and practice, strongly favours Islam and punishes criticism of Islam as well as criticism of the ruling family and system of government. Jordan is a founding member of the Organisation of Islamic Cooperation.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<u>State legislation is largely or entirely derived from religious law or by religious authorities</u>		<u>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</u>	<u>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</u> <u>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</u> <u>It is illegal or unrecognised to identify as an atheist or as non-religious</u>
		<u>Systemic religious privilege results in significant social discrimination</u> <u>Religious control over family law or legislation on moral matters</u>	<u>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</u>
<u>There is an established church or state religion</u> <u>State-funding of religious institutions or salaries, or discriminatory tax exemptions</u>	<u>Religious or ideological instruction is mandatory in at least some public schools (without secular or humanist alternatives)</u>	<u>Discriminatory prominence is given to religious bodies, traditions or leaders</u>	

Legend

## Constitution and government

Islam is state religion (Article 2) and the King must be Muslim. Article 14 of the constitution provides for the freedom to practice the rites of one's religion and faith in accordance with the

customs that are observed in the Kingdom, unless they violate public order or morality. Discrimination on the basis of religion is prohibited, however, some religious groups that are not included in the Abrahamic religions (Judaism, Christianity and Islam), are denied official recognition. However, the government allows Baha'i and Druze members to practice their religion. The state registers Druzes as Muslims. Atheists must associate themselves with a recognised religion for purposes of official identification on national ID's and marriage and birth certificates. Employment applications for government positions occasionally contain questions about an applicant's religion. The government appoints imams and pays their salaries. It also monitors sermons at mosques.

## **Education and children's rights**

By law, public schools are required to teach Islamic religion as part of the basic national curriculum. However, non-Muslims are allowed to opt out. Christians are allowed to open private schools and to teach Christianity.

Non-Muslim students must demonstrate are required to demonstrate the same knowledge of the Quran as Muslim students in order to be eligible to attend university. Students preparing for the government exams in their final year, at both public and private schools, must learn Quranic verses as part of the Arabic language and religious curriculum.

<[state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper](http://state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper)>

It is unclear if non-religious students wanting to opt out from Islamic religious instruction or Quranic knowledge are able to do so in practice.

Religious instruction for Christian students in public schools was approved in 1996. In 1998, the Government launched an experimental program to incorporate Christian education in the public school curriculum of 4 districts. However, the program has not progressed as the churches responsible for its implementation have not been able to agree on a common curriculum.

<[state.gov/j/drl/rls/irf/2005/51602.htm](http://state.gov/j/drl/rls/irf/2005/51602.htm)>

### **"Anti-radicalism" reforms**

In 2016, the Ministry of Education announced the decision to revise the school curriculum. According to the media, the revision was part of a governmental strategy to fight Islamic radicalism at school. The new curriculum included a weekly class covering the dangers of terrorism and stressing that the "true essence of Islam" is based on tolerance, moderation and acceptance.

<[jordantimes.com/news/local/education-ministry-embarks-plan-fight-radicalism-school](http://jordantimes.com/news/local/education-ministry-embarks-plan-fight-radicalism-school)>

These reforms may not have gone far enough. For example, all mentions of the Holocaust were still omitted from relevant material. However, even then, the reforms met opposition from parents' and teachers' groups who claimed that they were distancing students from Islamic values and a promoting the "normalization of relations with Israel".

<[state.gov/documents/organization/281234.pdf](http://state.gov/documents/organization/281234.pdf)>

### **Children's rights**

The UN Committee on the Elimination of Racial Discrimination expressed concerns regarding the Jordanian Nationality Act, according to which children of Jordanian women married to non-nationals are precluded from obtaining Jordanian nationality at birth.

Furthermore, although the minimum age for employment of children in hazardous occupations has been raised to 18 years, child labour remains widespread. The Labour Code does not provide

protection for children working in family-owned enterprises or agriculture.  
<[crin.org/en/library/publications/jordan-persistent-violations-childrens-rights](http://crin.org/en/library/publications/jordan-persistent-violations-childrens-rights)>

Although the legal age to marry is 18 years old, if approval by a judge or legal guardian is obtained, then children are allowed to marry at the age of 15.

On average, 10 percent of Jordanians get married before the age of 18. In rural areas, forced marriage has become an alternative to rural killing. Indeed, girls who have been subjected to raped are often forced to marry their rapist in order to preserve the families' honor and the lives of the men who are responsible.  
<[humanium.org/en/jordan/](http://humanium.org/en/jordan/)>

Although the Jordanian Penal Code criminalizes rape, Article 308 reads:

“If a correct marriage contract is concluded between the perpetrator of one of the crimes stipulated in this section and the victim, any pursuit shall be stopped.”  
<[scribd.com/document/265701032/Jordan-Penal-Code-1960](http://scribd.com/document/265701032/Jordan-Penal-Code-1960)>

## **Family, community and society**

Articles 103-106 of the constitution also provides that matters concerning the personal status of Muslims are under the exclusive jurisdiction of Sharia courts which apply Sharia in their proceedings. Personal status, or “family law”, includes religion, marriage, divorce, child custody, and inheritance. Personal status law follows the guidelines of the Hanafi school of Islamic jurisprudence, which is applied in cases that are not explicitly addressed by civil status legislation. Christian religious tribunals handle personal status matters for Christians, under the jurisdiction of Tribunals of Religious Communities, according to Article 108. The appointment of judges of the religious courts has to be approved by a royal decree. Non-Muslim members of a faith that is not recognized by the state are subject to Islamic law or must request that a civil court hear their case. There is no legal provision for civil marriage. Children of a Muslim father and minor children of male citizens who convert to Islam are automatically considered Muslims.

The Baha'i community faces legal difficulties, when the government records some Baha'i as Muslims and some others not (leave a space blank). A Baha'i man registered with no religion is not allowed to marry a Baha'i woman registered as Muslim. The child of a non-Muslim father and a Baha'i mother is denied a birth certificate. Consequently the child is unable to register for school or to receive citizenship.

Conversions to Islam or Christianity are undertaken by some members of religious groups in order to reach a legal divorce. Societal pressure represents often a thread for converts or interfaith romantic relationships.

Women face discrimination in law and practice. Despite a 2010 amendment, which widened women's access to divorce and child custody, women remain discriminated in matters of marriage, divorce, inheritance and child custody. Muslim men are allowed to marry Jewish or Christian women, Muslim women can not marry a non-Muslim man. The so-called “honour-killings” are repeatedly reported, however, the Penal Code Articles 98 and 340, which allow reduced sentences for honour crimes, remain in force. Jordanian women, who are married to foreigners, can not pass on their nationality to their spouses or children (Article 9). Although the Ministry of Justice considers laws to protect women against sexual harassment, women are inadequately protected against domestic and sexual

violence. The legal age of marriage of women is 18 years, unless a judge gives a special permission. In the Syrian refugee camps there is currently an increase of child marriage and international NGO's warn of the associated risks for young girls.

## **Freedom of expression, advocacy of humanist values**

### **Blasphemy**

Laws against "blasphemy" in Jordan, while comparatively more moderate than some other Islamic states, is punishable with a prison term. Under the Jordanian Penal Code (Articles 273 and 278), anyone blaspheming Islam, "demeaning" Islam, hurting Muslim feelings, or "insulting" Prophet Muhammad is liable for imprisonment of one to three years.

Following a 2006 amendment to the Criminal Procedures Act, made in response to the Jyllands-Posten Mohamed cartoons affair, "blasphemers" can be prosecuted for acts in any foreign country if it affects Jordanians through the internet.

Most charges are against Sunni Muslims who approach Islamic subjects in a way that is deemed inappropriate, as in the 2010 case of a poet who incorporated lines from the Quran into a series of love poems.

<[berkleycenter.georgetown.edu/essays/national-laws-on-blasphemy-jordan](http://berkleycenter.georgetown.edu/essays/national-laws-on-blasphemy-jordan)>

### **Apostasy**

Apostasy from Islam is banned in Jordan. Although not expressly outlawed through legislation, an apostasy trial may be initiated through the county's Sharia courts by any member of the community. A person convicted of apostasy is punished by being deemed as officially having 'no religion,' meaning that under Jordanian law that person is stripped of their civil rights, the ability to get a job, and loses all legal relationships with their family.

<[hg.org/article.asp?id=22836](http://hg.org/article.asp?id=22836)>

This was confirmed following the 2005 conviction of Samer al-Aidy who after converting to Christianity, was declared to be a ward of the state, had his marriage annulled, deprived of his civil rights and announced to be without religion. He was forced to flee the country with his family in order to avoid any public reprisals.

<[2001-2009.state.gov/g/drl/rls/irf/2008/108485.htm](http://2001-2009.state.gov/g/drl/rls/irf/2008/108485.htm)>

### **Broader concerns around freedom of expression**

Freedom of expression is restricted. Some subjects are explicitly forbidden, such as criticism of Islam (Article 38) and the royal family. In addition there are other unwritten rules against the expression of critical opinion on religious and social issues. Even reporting of facts that may cast a negative light on the institutions of religion and state can result in arrest. Although imprisonment was abolished as a penalty for press offenses in 2007, journalists can still be jailed under the penal code. Self-censorship is common and the authorities censor print, broadcast and online media.

Arrests are quite frequent for insulting or criticizing the king, his cabinet, or Jordan's system of government. Most broadcast news outlets remain under state control. There are dozens of private newspapers and magazines, but the government has broad powers to close them. Websites are subject to similar restrictions, and police have considerable discretion in monitoring and sanctioning online content.

In September 2012, parliament amended the Press and Publications Law, which further restricts the freedom of expression of electronic publications, requires journalists to join a union, requires that websites register with the government, and holds website owners responsible for all content posted to their sites, even by visitors. Activists from Jordan and international human rights organizations argued that the law was an unprecedented assault on freedom of expression and could lead to greater persecution of regime critics. Events in 2013 proved these fears to be well founded.

In June 2013, Jordan's Telecommunications Regulatory Commission issued orders to the country's internet service providers (ISPs) to block access to almost 300 websites. The sites, which are mostly news outlets, were blocked because they do not comply with the 2012 Press and Publications Law. The websites blocked by Jordan were as varied as Al Jazeera, Penthouse magazine, and the site of the Muslim Brotherhood in Jordan.

In January 2014 four students from a university in Mafraq were sentenced to one month of prison for "insulting a religious symbol". According to the court their style of dress and musical taste indicated that they were devil worshippers.

In March 2015, Jordan introduced a draft at the Inter-Parliamentary Union meeting calling for a ban on insulting religion or religious symbols, in order to impose a global blasphemy law. After international protest, Jordan withdrew the resolution.

<[secularism.org.uk/news/2015/03/jordan-proposes-ban-on-insults-to-religions-at-next-inter-parliamentary-union-meeting](http://secularism.org.uk/news/2015/03/jordan-proposes-ban-on-insults-to-religions-at-next-inter-parliamentary-union-meeting)>

## Freedom of assembly

Freedom of assembly is generally restricted, though a March 2011 amendment to the Public Gatherings Law allowed demonstrations without prior permission. However, police continue to use force to disperse peaceful protests. Protesters are arrested on charges of disturbing public order, insulting the king, or incitement against the regime. The government also uses a provision prohibiting unlawful gatherings for the purpose of committing crime as a way to penalise peaceful assembly and freedom of expression.

## Highlighted cases

In 2016, **Nahed Hattar**, a writer and cartoonist, was shot and killed outside a courthouse in Amman where he was standing trial for blasphemy. Mr Hattar, who considered himself an Atheist, had posted a cartoon on Facebook titled 'the God of Daesh(ISIS)' that depicted a militant lying in bed with two women and asking God to bring him a drink. His shooter, Riyad Ismail, was arrested at the scene and handed the death penalty a few months later.

<[theguardian.com/world/2016/sep/25/jordanian-writer-shot-dead-trial-insulting-islam-nahed-hattar](http://theguardian.com/world/2016/sep/25/jordanian-writer-shot-dead-trial-insulting-islam-nahed-hattar)>  
<[aljazeera.com/news/2016/12/nahed-hattar-killer-author-sentenced-death-161220153755501.html](http://aljazeera.com/news/2016/12/nahed-hattar-killer-author-sentenced-death-161220153755501.html)>

## Testimonies

*"I came out as an atheist in 2008 and I didn't face any problems with my close environment, because my almost everybody around me in my family, university and work has the same views towards religion. But I am scared of telling about my atheism to anyone outside of this circle, because of the harassment that I might be exposed to. The Jordanian society does not really enjoy freedom of religion."*

— Fatin