



De-radicalization and Integration Legal & Policy Framework

Jordan/Country Report

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About the Project

D.Rad is a comparative study of radicalization and polarization in Europe and beyond. It aims to identify the actors, networks, and wider social contexts driving radicalization, particularly among young people in urban and peri-urban areas. D.Rad conceptualizes this through the I-GAP spectrum (injustice-grievance-alienation-polarization) with the goal of moving towards measurable evaluations of de-radicalization programmes. Our intention is to identify the building blocks of radicalization, which include a sense of being victimized; a sense of being thwarted or lacking agency in established legal and political structures; and coming under the influence of “us vs them” identity formulations.

D.Rad benefits from an exceptional breadth of backgrounds. The project spans national contexts including the UK, France, Italy, Germany, Poland, Hungary, Finland, Slovenia, Bosnia, Serbia, Kosovo, Israel, Iraq, Jordan, Turkey, Georgia, Austria, and several minority nationalisms. It bridges academic disciplines ranging from political science and cultural studies to social psychology and artificial intelligence. Dissemination methods include D.Rad labs, D.Rad hubs, policy papers, academic workshops, visual outputs and digital galleries. As such, D.Rad establishes a rigorous foundation to test practical interventions geared to prevention, inclusion and de-radicalization.

With the possibility of capturing the trajectories of seventeen nations and several minority nations, the project will provide a unique evidence base for the comparative analysis of law and policy as nation states adapt to new security challenges. The process of mapping these varieties and their link to national contexts will be crucial in uncovering strengths and weaknesses in existing interventions. Furthermore, D.Rad accounts for the problem that processes of radicalization often occur in circumstances that escape the control and scrutiny of traditional national frameworks of justice. The participation of AI professionals in modelling, analyzing and devising solutions to online radicalization will be central to the project’s aims.

Executive Summary

Although Jordan suffered from violent attacks since the 1970s, radicalization as a major issue emerged in 2001 after the 9/11 attacks and Amman Hotels attacks in 2005. At the same time, Jordanians have suffered for long decades from the lack of economic prosperity, unemployment, unequal opportunities, widespread corruption, nepotism, lack of respect for the rule of law and the failure of the government to prevent such injustices. This has fostered insecurity among Jordanians, especially the youth, creating a dangerous and vulnerable social and political environment.

The latter raised the government and the public opinion's awareness of the danger of radical movements in the country and led to the adoption of several legal measures to tackle radicalisation and terrorism.

However, it has become clear that an exclusively legal approach is not sufficient and since 2005 civil society has been urged to take part in countering extremism. Awareness programs, workshops, and trainings have been organised, but they do not seem to help much, especially because they often lack a strategic vision.

1. Introduction

This report attempts to present a conceptual account on how existing policies and laws address radicalisation, to pinpoint their most critical aspects and best practices, and finally to develop evidence-based policy and legal guidelines in Jordan. It also aims to give an overview of how these legislatives and policy frameworks are connected with the socio-economic, political and cultural context of the country, depict the constitutional organization and principles of the state along with the relevant legislative, policy and institutional framework in the field of radicalization. Through this overview, the report covers the most relevant legislative and policy practices addressing the issue of radicalization and de-radicalization. Finally, the report presents two in-depth case studies that best outline deradicalization measures conducted under the supervision of the state's military and police institutions in order to assert internal peace in Jordan. The methodology followed in this report is based on desk research that highlights the legal and policy framework. Furthermore, to enhance the information concerning the legal and policy practices, the researchers have conducted five interviews with relevant stakeholders involved in law-making and in policy-making. The researchers interviewed a lawyer who has been working as a defense attorney for some cases related to extremist thoughts, a retired judge who has worked at the state security court, a legal activist in an NGO specializing in Human rights, two specialist researchers in the field of extremism and terrorism, and finally a police officer working in correction and rehabilitation centers. Through this report, it was of importance to highlight some paradoxes that roam around the phenomenon of terrorism and extremism. For example, the majority of individuals with extremist views do not turn to the act of terrorism. Thus, after analyzing the legal framework of radicalization and de-radicalization as well as the institutional policy framework relevant to these issues, the report suggests to call for differentiating between extremism of opinion and extremism of action in the legal context. This suggestion comes after realizing that "Opinion" was considered a synonym for terrorism or an inevitable precursor to its occurrence, and therefore those with extremist ideas were treated as potential terrorists.

After the introduction, the report's methodology goes as follows: the second section covers the development of radicalization through highlighting the socio-economic, political and cultural context in Jordan. The third section introduces the constitutional organisation and the constitutional principles of the state. It depicts the constitutional entrenchment of religious, political and national values/principles/rights related to D.Rad policy-fields. The fourth section depicts the legislative framework on the field of radicalization and de-radicalization, the national framework legislation on religious freedom and on freedom of speech or expression. The fifth section covers the policy and institutional framework on the field of radicalization and de-radicalization. Section six presents two case-studies – community peace center and Dialogue program for inmates of extremist (takfiri) thought in reform and rehabilitation centers— and is followed by the conclusion.

2. The Socio-Economic, Political and Cultural Context

This section of the report aims at contextualizing the phenomenon of radicalization in Jordan from 2001-2021 politically and socially through tracing the connection between radicalization and injustice, grievance, alienation and polarization. In 1946, Jordan was officially declared an independent country known as the Hashemite Kingdom of Jordan. From that time until now, Jordan is a constitutional, hereditary monarchy with a parliamentary form of government. The king remains the country's ultimate authority and wields power over the executive, legislative, and judicial branches. Jordan's central government is headed by a prime minister appointed by the king, who also chooses the cabinet. According to the constitution, the appointment of both prime minister and cabinet are subject to parliamentary approval. There are two houses in the Jordanian government; The House of Senates (Majlis Al-Ayyan) which is regarded as the upper chamber, and the House of Representative (Majlis Al-Nuwab), elected by the people, as the lower chamber. The Senates are appointed by the king for four years term, the House of Representatives is elected by the nation every four years. A small number of seats in the House of Representatives are reserved for Christians and Circassians. Jordan is divided into 12 administrative governorates which in turn are divided into districts and subdistricts, each of which is headed by an official appointed by the minister of the interior. Cities and towns each have mayors and partially elected councils.

Jordan has a population of around 11 million inhabitants as of 2021. 98% of Jordanians are Arabs while 2% are of other ethnic minorities like Druze, Armenians, Circassians and Chechens. Around 3 million are non-citizens including refugees and legal and illegal immigrants from Palestine, Syria, Iraq and other countries. Islam is the official religion of Jordan and Arabic is its official language.

Jordanians have suffered for long decades from the lack of economic prosperity which affects on the macroeconomy (UNDP 2015, 8), unemployment, unequal opportunities, and frustration with governance (Higher population Council, 2018). This is actually caused by the widespread of corruption, nepotism, lack of respect for the law and the failure of the government to prevent such injustice. This has bred insecurity for Jordanians, especially for the youth, creating a dangerous and vulnerable environment (Abu Rumman 2018). When asked to elaborate on the issue of governance in general in the Arab world, Jordanian researcher Hasan Abu Hanya states, "When I go to Europe or when I first begin my speeches, the question I am often asked by the people in the West is, 'Why do people become extremists?' But in the Arab world, the question should be, 'Why *don't* they become extremists? In the Arab world, there are political motivations. The economic situation is worse than in the Western world. There is no security. We have the Palestinian issue, sectarianism, oppression, corruption and abuses of power. I love when people ask why? Why this person who is oppressed, marginalized, suffers from poverty, and social injustice - why is he not an extremist?"¹

¹ Hasan Abu Hanya, Jordanian Counter-Terrorism Researcher/Author, Interviewed by Anne Speckhard, Amman, Jordan (November 10, 2016).

In other words, the feelings of injustice, grievance, alienation and polarization among Jordanian Youth have been invested to recruit followers to join radical movements.

Radicalization and terrorist movements operating in Jordan, involving Jordanians who play prominent ideological and leadership positions in Al-Qaida, Al-Nusra and ISIS, have a decades-long history.² One aspect of radicalization in Jordan that should not be overlooked is the widespread of the support for Palestinian resistance against Israeli occupation. The resistance adopted a violent form including the use of suicidal attacks in Israel targeting civilians. In the minds of Jordanians this is considered a legitimate resistance of an occupation not a terrorist act. This has paved the way for the acceptance of the brutality of groups like Al-Qaeda and ISIS.

Overall, the regional instabilities and the repeated influx of migrants and refugees from turbulent countries like Iraq and Syria, the long occupation of Palestine by Israel, the lack of socio-economic development in the country and the lack of confidence in the government's effort to achieve it, along with the Salafi influence in Jordan have all combined to foster a fertile environment for radicalization and extremism. Since the U.S. led occupation of Iraq in 2003, political and religious radical resistance emerged. This resistance, however, turned into lethal organizations, setting up their terrorist's centres in Iraq and later in Syria following the eruption of the Syrian civil war in 2011, culminating in the creation of ISIS.

Although Jordan was a target of multiple violent attacks since the 1970s,³ radicalization as a phenomenon in Jordan was highlighted in 2001 after the 9/11 attacks and Amman attacks in 2005. Prior to those particular dates, it was the responsibility of the state represented by its official institutions to combat radicalization. After 2005, however, the civil society was urged to take part in countering radicalization. In 2005, the series of attacks targeting different Hotels in Amman marked a turning point in the history of radicalization in Jordan and raised the awareness of the government and the public of the danger of radical movements in the country. Between 2005 and 2015 no major terrorist events took place. 2015 to 2016 registered the highest level of attacks because ISIS has become a major threatening power in the region recruiting many individuals and resulted in developing sleeping cells (the Karak Cell, Irbid Cell and Salt Cell). Most of the radical events are taking place in the main cities on the urban part of the country mainly the capital Amman, Irbid, Mafraq, Karak, Balqa, Madaba and Jerash. The terrorist attacks occurring inside Jordan aimed at police Intelligence and American military working with Jordanians. Despite the fact that Jordan is a country with relatively political stability and one of the trusting U.S and coalition partners against ISIS and the Islamic State, it remains an active contributor of foreign fighters to the conflict in neighbouring Syria and Iraq. Jordan is ranked among the top ten providers of foreign fighters in the world calculated on per capita basis, especially

² The D. Rad 3. 2 Country Report provided a list of the radicalized Jordanian figures who have held leading positions in different terrorist organization from Al-Qaida to ISIS. Also, refer to Haqqi info, available at: <http://haqqi.info/en/haqqi/research/jihad-jordan-drivers-radicalization-violent-extremism-jordan>

³ The D. Rad 3. 1 Country Report lists the major terrorist attacks since 1970s until now. Yet, to mention recent attacks: the assassination of the American Diplomat, Lawrence Foley, in 2002; Amman Hotels' attacks in 2005; a suicide bomb at a military unit serving a refugee camp in 2016; Fuheis festival explosion of a police vehicle in 2018, to mention a few.

per million of its citizens (Speckhard 2017). The Jordanian government does not disclose regular and detailed information about the involvements of its citizens as foreign fighters in Syrian and Iraqi conflict; therefore, one must rely on independent sources and expert statements and testimonies to calculate the numbers of Jordanians going to Syria and Iraq. Retired Jordanian intelligence (GID) and Policy experts estimate that between 2011 and 2015 upwards of 3000 to 3950 individuals have travelled to the conflict zone. It is estimated that from 250-1.500 have been killed. Regardless whether those fighters will stay or return, they will continue to pose a threat to Jordan's national security.⁴ Unfortunately, current developments in the course of Covid-19 pandemic have deepened the historical roots of radicalization (injustice, grievance, alienation and polarization). However, it is too early to make assumptions about the connection between radicalization in the context of Covid-19.

3. The Constitutional Organization of the State and Constitutional Principles in the Field of (de-) radicalization

Constitutional life is not new to Jordan. Rather, it almost accompanied the establishment of the Jordanian state at that time when Jordan was gained a de facto recognition as the Emirate of Transjordan (Emirate of East Jordan) on April 11, 1921 which was also a British protectorate until May 25, 1946. The Hashemite Emir Abdullah Bin Hussein Bin Ali was placed as the Emir of Transjordan and established the first government in the history of the Emirate on April 11, 1921 assigning Rashi Talei as Prime Minister. This government continued to function until June 23, 1921. Transjordan was recognized by the British as an independent government on May 21, 1923 and this recognition paved the way for drafting a basic law as a constitution which was completed in 1924. However, issuing the constitution was not implemented until 1928 due to the prevailing conditions in the region, the British Mandate, the French/English dispute over the region, to mention a few. On the other hand, it is worth noting that the basic law, the constitution, was, at that time, not responsive and ineffective to accommodate the longings and aspirations of the citizens to establish a democratic independent state due to the circumstances the region has been going through⁵. These circumstances continued until 1946 when the state has gained its independence and became the Hashemite Kingdom of Jordan. The basic law, the constitution, did not come into existence until 1947. Although the constitution achieved advanced developmental steps, it did not contain all elements of the envisioned democratic state and failed to satisfy the citizens' longings and needs to establish a democratic structure.

The Israeli occupation of Palestine in 1948 has led to declaring the unity between the East (Jordan) and the West (Palestine) banks on April 24, 1950. This declaration took place at the Jericho Conference which resulted in the formation of the first parliament. The said Council, which represented the two banks equally, approved the unity of the two banks on the condition that the Palestinian identity must be preserved. Also, in

⁴ Anonymous, Retired Intelligence (GID) Officer, Interviewed by Anne Speckhard, Amman, Jordan (November 10, 2016). Note that according to some sources, the Jordanian government estimates are that as of 2015, 500 of the foreign fighters have been killed while 500 have returned. See Suha Ma'ayeh, "Islamic State Lured a Son of Jordan's Elite," *The Wall Street Journal*, December 1, 2015; URL: <http://www.wsj.com/articles/islamic-state-lured-a-son-of-jordans-elite-1449015451>.

⁵ <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/49373/95326/F1397197777/JOR49373.pdf>

implementation of the foregoing, the Jordanian government formed a committee to draft a constitution. It had a contractual or semi-contractual nature with the approval of representatives representing the people on both sides (Jordanians and Palestinians). Thus, the constitution was issued in 1952 during the reign of King Talal after the assassination of the late King Abdullah, and thus the kingdom entered a new stage of its political development. The Jordanian Constitution, then, has become one of the best Arab constitutions in the modern era and a pioneering step in developing political action. It was published and issued on January 18, 1952 presenting its clear ground rules on governance and orientation towards democracy:

First:

- The regime is parliamentary, monarchic and hereditary, noting that parliamentary is before monarchy in this significance text in order to ensure the unity between the people and their leadership.

Second:

- The nation is the source of authority.
- The nation practice its powers in the manner prescribed in the constitution

Articles 25-26-27⁶ also clarified the texts calling for the separation of the three legislative, executive and judicial powers while maintaining a flexible balance that guarantees cooperation among them without overpowering one another⁷. In other words, a summary of 1952 Constitution goes as this:

The Constitution of 1952 created a constitutional monarchy with a monarch, prime minister, council of ministers, bicameral legislature, judiciary, and high tribunal. Under this constitution, Islam became the national religion, and Arabic the national language. However, it also recognizes religious and ethnic pluralism by banning discrimination based on race, language, or religion. While it recognized many personal freedoms such as the freedom of worship, expression, assembly, and the press, these freedoms were subject to possible limitation by law.⁸

Thus, the issuance of this constitution crowned a long and important stage in the life of the Jordanian people. In 1957, an alleged Jordanian military coup attempt has resulted in forcing the Arabist government of Suleiman Nabulsi to resign due to political clashes between the government and the royalist/palace supporters? King Hussein, back then, imposed martial law and some measures were taken like military curfews and severe press censorship which significantly curtailed the constitutional democracy of the state. In April 1989, protests and riots in the southern part of Jordan were ignited due to governmental practices such as increasing prices and cutting food subsidies. Some of the demonstrators' demands were that the martial law must be lifted, the parliamentary elections which had been paused since 1967 should be resumed, and restrictions on freedom of press and expression must be removed. King Hussein

⁶ For further information on the articles of 1952 Constitution, please refer to <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/49373/95326/F1397197777/JOR49373.pdf>.

⁷ <http://www.cco.gov.jo/en-us/About-Us/Constitutional-Overview>.

⁸ <https://constitutionnet.org/country/constitutional-history-jordan>.

responded to these demands and the National Charter was drafted in 1990⁹ “where a spectrum of Jordanian elites agreed on a program of liberalizing political institutional reforms” (Lucas p.25). It is worth noting that the assigned committee for drafting the national charter included sixty members covering the wide political opinion in Jordan¹⁰; yet, it was believed that the majority of the selected committee were supporters of the system (Lucas p.33). The National Charter began with a historical background and then contained 8 chapters. The second chapter stated the recommendations of the committee to bolster the democratic structure of the Jordanian state and society. Chapter two ensures “establishing, through a special law, an autonomous body to update and develop legislation based on studies and research conducted for that purpose. This body shall report to parliament and the Council of Ministers” (National Charter). It also recommended “establishing a Constitutional Court with the following jurisdiction:

a. Interpreting the provisions of the Jordanian Constitution in matters referred to it by the Council of Ministers.

b. Deciding on matters referred to it by the courts with regard to constitutional issues arising from cases entertained before these courts.

c. Deciding on disputes and challenges pertaining to the constitutionality of laws and decrees which are brought before it by interested parties” (National Charter). However, the Constitutional court was not founded until 2011 following the constitutional amendments happening in that year. These amendments were so extensive that they included more than a third of the provisions of the Constitution and contained, in their entirety, important amendments with regard to the texts of the authorities’ management and method of work, as well as in the parts related to basic human rights and the human rights system in its international concept. The Constitutional Court has broad powers and enjoys complete independence. It is responsible for interpreting the constitution and controlling the legality of political performance, which brought about a new and important development in the Jordanian political life and the trend towards consolidating the democratic process. The Constitutional Court includes a president and nine members according to a royal decree issued on October 6, 2012. Judge Taghreed Hikmat, member of the Constitutional court, stated that “The two constitutional provisions and the law affirm that the court is a judicial body, and the rules pertaining to judges are applied to the members of this court, such as non-dismissal, disciplinary guarantees, among others. In the outcome, Jordanians saw the creation of a court that is independent and self-standing, meaning that it is not considered part of the judicial authority.”¹¹ The interpretation of the text of the Constitution was entrusted for the first time in the history of the Jordanian state to the Constitutional Court “after it was assumed by the Special Bureau¹² in the early years of the Jordanian state (the emirate) and the Kingdom under the Basic Law of Transjordan in 1928” (Hikmat)¹³. Since its establishment, Jordan has not been characterized as a religious state

⁹ For more information about the Jordanian National Charter, please see <http://www.kinghussein.gov.jo/charternational.html>.

¹⁰ According to Russell E. Lucas (p.34), the committee included: 16 conservatives, 15 Liberals, 8 Independents, 8 Islamists, 8 Arab Nationalists, and 5 Leftists.

¹¹ <https://www.jordannews.jo/Section-36/Opinion/The-state-s-centenary-and-constitutional-life-in-Jordan-2686>.

¹² It refers to the Royal Court that was founded when Jordan was an emirate.

¹³ <https://www.jordannews.jo/Section-36/Opinion/The-state-s-centenary-and-constitutional-life-in-Jordan-2686>

but a civil state although not in the Western sense. Jordan managed to keep balance between civil and religious regulations. According to Hani Shboul (2018), Jordan “has not established on a religious basis, nor has its legitimacy been based on a ‘religious ideology’.” However, in contrast, it was not established on the basis of radical secularism, which entangles a confrontational spirit with conservative and religious trends in the society.” However, this did not prevent the regime to follow a conservative system due to the lineage of the royal family to Prophet Mohammad and the Hashemite tribe and the permanence of the historical legacy that it bears which confirms its symbolic legitimacy. Jordan was not established on religious foundations, and its legitimacy was not based on a revolutionary or sectarian “religious ideology,” or even on the claim to establish an Islamic state, as the Islamic movements in the country want. Rather, it was clear from the beginning that its founder, Prince Abdullah I, was keen to clarify its civil and political nature as he dedicated in the independence declaration ceremony (May 15, 1923)¹⁴ by saying, “I announce on this occasion that the basic law for the region will be prepared and the electoral law will be amended to suit the spirit, class and environment of the country”¹⁵ (Abu Ruman and Abu Hanieh 23). Thus, Jordan could be characterized as a conservative secular state manifested in various fields, constitutionally, politically, religiously, culturally, and even socially. According to Abu Ruman and Abu Hanieh, “in the Constitution, there are no gray areas, as Article 2 of the Constitution clearly states that “Islam is the religion of the state and the Arabic language is its official language.” This clearly expresses the balances absorbed by the “conservative secular” pattern in Jordan as the article avoided any specific expressions that could give a religious character to the political system. The Jordanian case is totally different from the case in Iran in which its constitution states the Twelver Shiism doctrine¹⁶ or Saudi Arabia¹⁷ and Israel which did not establish constitutions at all, but rely on the divine books” (Abu Ruman and Abu Hanieh 23). In other words, Jordan has not founded its constitution on the Islamic Sharia law¹⁸. Furthermore, Abu Ruman and Abu Hanieh illustrated that “the balance appears in the articles of the Jordanian constitution when it comes to explaining the second article. For example, Article (6-1) states that “Jordanians are equal before the law and there is no discrimination between them in rights and duties, even if they differ in race, language or religion.” This indicates that what defines the relationship between the individual and the state is citizenship. Another constitutional balance appears in Article 14 which states that “the state protects the freedom to practice the rites of religions and beliefs in accordance with the customs observed in the Kingdom, unless they are contrary to public order or contrary to morals” (Abu Ruman and Abu Hanieh 24). Some areas in the articles of the constitution might appear as making the religious character prevail against the civil political system. Article (105) grants only Sharia (Islamic) courts the right to judge in matters related to Muslims’ personal status and matters related to the

¹⁴ The King Declared: “I announce on this occasion that the basic law for the region will be prepared and the electoral law will be amended to suit the spirit, class and environment of the country”¹⁴ (Abu Ruman and Abu Hanieh 23).

¹⁵ <https://library.fes.de/pdf-files/bueros/amman/09373.pdf>.

¹⁶ The Iranian constitution declares that Islam is the official religion while its legal system follows the Ja’afari (Twelver), also called Shia Islam.

¹⁷ Saudi Arabia’s legal system is derived from the Quran and the Sunna, i.e, Islamic Sharia law.

¹⁸ Sharia Law follows the doctrines found in Quran and sunnah while Shia Islam or the Ja’afari (Twelver) refers to its adherents’ belief in twelve divinely ordained leaders, known as the Twelve Imams who are believed to be the spiritual and political successors to the Islamic prophet Muhammad.

personal status of Muslims like Blood money¹⁹ and Islamic endowments while Article (106) stipulates that Sharia courts apply the provisions of the Shari'a (Islamic law) in their judgments. On the other hand, Article 109 of the Constitution states that "the councils of religious sects are formed in accordance with the provisions of the laws that are issued for them, and in these laws the powers of the aforementioned councils regarding issues of personal status and endowments established for the benefit of the relevant sect are determined. As for the personal status issues of this sect, they are the personal status issues of Muslims within the jurisdiction of the Shari'a courts." We can inspect that the provisions of the constitution seem clear by emphasizing the civil nature of the political system, the principle of citizenship in terms of rights and duties, the distinction between religious, civil and political affairs, and the respect for different religions, whether in terms of freedom of worship or any related affairs. On the other hand, the political system is characterized as being strategically conservative. This appeared since the foundation of Jordan as an Emirate when the Emir, Abdullah I, was keen on the separation and clear distinction between the political and religious aspect. In 1923, he formed a council called "the Shura Council" headed by the Chief Justice (Abu Ruman and Abu Hanieh 24). One of the council's tasks was to formulate and interpret laws and regulations but it was abolished in 1927 and the National Conference and subsequent parliaments were formed, which established the secular nature of the system of the government. All of that did not prevent the emergence of the conservative nature of the state that is not hostile to religion or Islam. On the contrary, Abdullah I insisted to show a great deal of respect for Islamic rituals and feelings, to attract many Islamic scholars, and to include them in his council. As for the judiciary, the Jordanian model is based on the separation between the civil and the religious. In its early juridical steps, the state continued to implement the Ottoman laws, especially the Ottoman family law, but some Western-influenced laws appeared to gradually replace the Ottoman laws, and the state's laws later took a civil character, whether through what was issued by parliaments or done by governments in their absence. Yet, there appeared some contradictions and differences in the contents of some of these laws with the Islamic legislation, but with avoiding the existence of a direct collision between state policies and Islamic law. These laws have also been careful as much as possible to limit the space of differences between them and the Islamic laws in a way that does not affect the balance between the civil nature of the state and the respect for the Islamic religion. In this sense, the religious and civil affairs were completely separated through the judiciary by dividing the courts into Sharia (Islamic) courts and Regular courts. The Sharia courts are subject to the personal status law, as stated in Article (50) of the Transjordan Basic Law proclaimed on April 16, 1928: "Shari'a courts alone have the right to Judicial in personal matters for Muslims in accordance with the provisions of the Sharia Procedures Decision dated 25/10/1333 AH."²⁰ This is an Ottoman law issued in 1914 amended by any law, regulations, or any temporary law, and it alone has the right to judge in various articles by establishing any endowment or interest for Muslims before a court Legality and in the internal management of any endowment. Despite the obvious interest of the Emir Abdullah I in religious matters, most of that was in relation to public behavior, customs and

¹⁹ According to Islamic law, anyone causing the death or injury of another person accidentally or intentionally is required to pay a form of financial compensation called "blood money" to the victim's family. The blood money was an additional punishment to a three-month jail sentence.

²⁰ AH stands for After Hijrah which is the Islamic calendar.

traditions. According to Abu Ruman and Abu Hanieh, Abdullah I, in his directive to one of the prime ministers, emphasized that senior officials should abide by the obligatory prayers, regularly perform the Friday and Eid prayers, none of them should violate the fasting of Ramadan, and that the people of villages, mayors and heads of clans work with this duty in their villages and among their clans. He also stated that they abstain from intoxicants and gambling, and that the government should consider reducing the import of alcohol after its consumption became horribly widespread in the country (26). He also sent a directive to Prime Minister Tawfiq Abu Al-Huda regarding the dress code of women in public life and of female students in schools which reflects the Islamic dress code for women. However, all these directives were devoid of deterrent penalties and remained only advice, and no official law was issued in the Official newspapers. This indicates that King Abdullah I's interest in religious matters was a personal one and citizens were not forced to abide by what he personally believed. On the other hand, during King Hussein bin Talal's reign, the state has clearly sided politically with conservative currents in the face of extremist secular currents, and concluded a kind of political deal with the Muslim Brotherhood²¹ to emphasize the state's legitimacy in the face of discourse that questions it and accuses it of subordination for the west (Abu Ruman and Abu Hanieh 26). The intense conflict between the state and the secular-left currents, since the beginning of the fifties until the seventies, pushed the regime to open the doors for religious discourse in the face of the nationalist and leftist tide and to have a huge impact on social, religious and cultural aspects. Yet, with this clear respect for religious rituals and feelings at that time, the state's policy has maintained a clear distance from the ideologies of Islamic groups or from engaging in policies that are subject to religious considerations in determining political interests. For example, despite the opposition of religious movements in general, especially Islamic movements, to the Jordanian-Israeli peace treaty, the regime insisted on proceeding with the signing of this treaty. The regime avoided the issuance or existence of any fatwa²² from within the religious establishment that opposes the signing of this treaty from the Jordan side. The regime managed to distance the official position from entering into a doctrinal and religious debate about the legitimacy of the treaty. As we can tell from what have been discussed earlier, the state institutions were religiously neutral and did not seek to impose Islamic manifestations on the society. At the same time, it did not clearly promote Westernization, and none of the political crises and internal and regional conflicts were reflected in this consistent policy of the state over the past decades. The "religious neutrality" of the state was also reflected in managing the religious policies in general. The state did not seek to preach or encourage a particular doctrine, nor did it adopt a position directly, neither politically nor culturally, between internal Islamic trends, which at certain stages reached severe conflicts and clashes. It is worth noting that these clashes appeared between the traditional Sufi trend²³, which was prevalent in social circles, and the Salafi trend, which began to increase its presence since the beginning of the eighties of the last century. In the mid-nineties, Prince Hassan opened up to global Shiite trends especially after

²¹ Muslim Brotherhood is a religiopolitical organization founded in 1928 in Egypt, by Hassan al-Banna. It was brought from Egypt to Jordan by Abd Al-Latif Abu-Qura²¹ and was allowed to operate by the Jordanian Monarchy in 1948 although other political parties were banned from operating in the country from 1957-1992.

²² Fatwa, in Islam, is a formal ruling or interpretation on a point of Islamic law given by a qualified legal scholar (Britannica) Available at: <https://www.britannica.com/topic/fatwa>.

²³ Sufism, or tasawwuf in the Arabic-speaking world, is an Islamic mystic form that emphasizes introspection and spiritual connectedness with God.

the Al al-Bayt University was established in the context of presenting Jordan as a model of moderation, dialogue and openness to other religious sects. The official refusal to recognize the Shiite presence in Jordan remained clear, despite the claim of some Jordanian Shiites that there are thousands of original Jordanian families embracing the Shiite sect for decades, especially in the northern cities. As a result, due to the public opposition to "Jordanian Shiites," the Intelligence Department established a unit to combat the spread of Shiism. According to (Abu Ruman) this Shiite situation extended to reach the rejection of the idea of religious proselytization among the various religions and sects in Jordan in order not to affect civil peace. According to this policy, the state also prevents Muslims to proselytize among Christians and the same applies to Christians among Muslims, a policy that reflects the conservative nature of the Jordanian model.

Perhaps the common denominator among the countries affected by the Arab Spring in the pre-revolutionary period is the practice of their authoritarian governments in a highly centralized governance; this resulted in the deprivation of citizens from the participatory exercise and citizenship rights, and the concentration of power and resources in the hands of an undemocratic central authority, which in turn led to unequal development. In countries witnessing conflict, where the legitimacy and authority of the state is threatened, local authorities often seek to fill the vacuum in the areas of security and service provision. But the question is: To what extent can reforms in the field of local governance and decentralization, in countries surrounded by external conflicts such as Jordan, promote good participatory governance, if the central authority still retains its authoritarian nature and refuses to transfer power in a real way?

The legal framework for decentralization in Jordan was approved in 2015 through two laws - the decentralization law that regulates elections and the powers of newly established provincial governments, and the municipality laws that organize municipal councils in the capital and other cities and towns. Decentralization is defined as transferring "of responsibility to democratically independent lower levels of government, thereby giving them more managerial discretion, but not necessarily more financial independence" (OECD). Decentralization includes political decentralization²⁴, fiscal decentralization²⁵, and administrative decentralization²⁶.

Before 2015, the government used to appoint municipal councils and mayors. Officials have promoted the new federal structure as a way for Jordanians to have a greater say in how they govern by allowing local elected officials to play a role in making decisions about how capital investment money is spent on development. This would allow Jordan to transition "from a highly centralized to a progressively deconcentrated system with more powers vested at the Governorate and Municipal level" (OECD)²⁷. In 2017, the Inter-Ministerial Committee on Decentralization and the Executive Committee was assigned by the government in order to guide the decentralization reforms and to prepare for local elections in Jordan. This committee includes six ministries

²⁴ political power is moved either to regional or local bodies that are elected, or to administrative actors who are appointed and supervised by elected bodies (OECD)

²⁵ It is directly linked to budgetary practices (OECD).

²⁶ Transferring the position of the decision-making authority and responsibility for the delivery of select public services from the central government to other levels of government or agencies (OECD).

²⁷ <https://www.oecd-ilibrary.org/sites/b4ce5ba1-en/index.html?itemId=/content/component/b4ce5ba1-en>

under the leadership of the ministry of interior and focuses on reforming seven domains: legislation, institutional capacity, awareness raising, institutional and organizational structures, evidence and procedures, financing, local development and services and information technology (OECD).

In principle, the decentralization law appears to give local officials a broad role. Article 3 of the amended law on Municipalities (2015)²⁸ provides for the formation of an “Executive Council” in each governorate, headed by the Mayor, with the latter being responsible for overseeing the implementation of “general policy in the state”, dealing with emergency situations, and protecting public property (Sowell).²⁹ The Mayor is also authorized to “approve deployment of local security forces” although he does not have direct security control (Sowell). The Executive Council has additional powers, the most important of which is preparing the governorate budget and proposals for capital investment. The law also provides for the formation of new provincial councils, with 15 percent of their members to be appointed by the government and the rest to be elected, and they have legislative and supervisory powers that allow for the imposition of controls on the executive councils (Sowell). However, “the delegation of local authority is narrowly drawn, and three elements of the legislation indicate that the role of these councils will be weaker than what government representatives claim (Sowell).³⁰

Beside the limitations imposed by formal legal provisions, two additional factors may contribute to explaining the lack of popular enthusiasm for “decentralized elections.” First, the powers of local authorities are based on the delegation of parliamentary powers although these powers are already quite limited. The Parliament does not have the power to initiate legislations, as this power is under the hands of the cabinet, and any amendments made by the Parliament can be overturned by the Senate, which is entirely appointed by the Jordanian monarch. For example, the 2017 budget was approved and turned into a law in the same form that the government presented to the Parliament and without any amendment to it. Accordingly, the 'powers' given to local officials may make them act as local advisory councils and nothing more (Sowell).

²⁸ Hashemite Kingdom of Jordan Amended Law on Municipalities 2015 Law No. 41 of 2015. Available at: <https://www.iec.jo/sites/default/files/2020-09/2015%20Municipalities%20Law%20EN%202017-07-09%20%281%29.pdf>.

²⁹ <https://carnegieendowment.org/sada/72905>.

³⁰ Kirk H. Sowell states that “while these councils can draft proposals for capital spending, control of both security and civilian ministries (such as education and health) remain in Amman. The budgets and proposals are further required to be “within the parameters set by the Ministry of Finance’s Budget Division.” Also, not only is a portion of the council appointed, but the executive council is entirely appointed—the governor, deputy governor, district officials, heads of each ministry’s local executive offices, plus three municipal executive directors appointed by the Ministry of Municipal Affairs. The law also does not give councils authority to raise revenue, such as through taxation or fees, making them dependent on the central government.”

4. The Relevant Legislative Framework in the field of Radicalization

The national framework legislation on religious freedom and religious groups can be identified as follows: The state religion is Islam and, as mentioned earlier, Sharia practices did/does not hinder establishing a democratic independent state. This is manifested in the constitution which provides for the freedom to exercise the rights of one's religion and belief in accordance with the customs observed in the kingdom, as long as it does not violate public order or public morals. Although the constitution does not prohibit Muslims from converting to another religion which is part of the civil legislation, the government prohibits conversion from Islam and proselytizing of Muslims³¹ since it is not permitted under Islamic Sharia law. This may call into question the country's freedom of religion and multi-faith identity. The government accords primacy to Islamic Sharia which forbids Muslim's conversion to another faith and considers converts apostate (non-Muslims, however, are allowed to convert to Islam). The government's decision, in this case, may be analyzed as a way to avoid overwhelming attitudes towards the citizen's religious/cultural identity and as a way to secure the country from unnecessary religious conflicts and to maintain internal security.

The government published the International Covenant on Civil and Political Rights (ICCPR) in the state Newspaper, which, according to Article 93.2 of the constitution, gives the covenant the force of law (Department of State, 2008, 558). Freedom of religion is identified in Article 18 of the ICCPR (Department of state 558). However, "The government continued to deny official recognition to some religious groups, and continued to monitor citizens and foreign residents suspected of proselytizing to Muslims"³² while "Members of unregistered groups faced legal discrimination and administrative hurdles" (ibid).

Regarding freedom of speech and Press, the constitution provides for these rights but, practically, the government did/does not respect these rights. Highlighting the assassination of Nahed Hattar³³, many activists believe that Freedom of opinion and expression in Jordan is not at all protected and that the state is failing in protecting these right on the one hand, and criminalizing hate speech that enhances the adherence of freedom of opinion and expression on the other. Thus, the long-standing contradiction in respecting freedom of speech and press goes hand in hand with the increase of hate speech. Some legal activists called for a specific legislative framework that protects freedom of speech and criminalizes hate speech while others considered those demands risky and may constitute a pretext for the state to restrict freedom of expression noting that international laws signed by Jordan criminalize hate speech, but the state

³¹ Conversion from Islam puts converts under risk of losing their civil rights. Please check <https://2009-2017.state.gov/documents/organization/171737.pdf>.

³² <https://jo.usembassy.gov/wp-content/uploads/sites/34/2016/08/JORDAN-2015-International-Religious-Freedom-Report.pdf>.

³³ Nahed Hattar shared a caricature on his facebook page in 2016 in which he depicted Abu Saleh, a Daesh financier, enjoying his time with two women and ordering a corporeal God to bring him wine, clean his tent, and knock before he enters his tent. This cartoon incited controversy among Jordanians and Hattar was arrested after being accused of inciting "sectarian strife and racism".

does not respect it (Al-Sheikh)³⁴. This allows us to consider that the problem does not lie in the legal framework, but in the executive authority, which does not follow up, from the standpoint of public rights, those individuals who incite violence and hatred.

On the other hand, internet freedom draws the attention to an overwhelming problem. There is no specific legislative framework that addresses internet freedom. And since the problem is not in text of the law but in its implementation, internet freedom, like freedom of speech, puts the government in a confusing situation. The state, the government and its agencies use laws as a tool to restrict freedoms in general; they are not democratically implemented, but undesirably prescribed in a selective manner.

The Legislative Framework in the field of Radicalization and De-Radicalization

Jordan has ratified many international agreements related to combating terrorism, such as the Arab Convention on Combating Terrorism, the International Convention for the Suppression and Financing of Terrorism of 2003, the Convention relating to crimes and some other acts committed on board aircraft, the Convention for the Prevention of Unlawful Seizure of Aircraft, the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, and the Protocol Concerning the Prevention of Unlawful Acts of Violence at Airports Serving Civil Aviation.

Anti-Terrorism Law no. 55 of the year 2006 is part of the Jordanian Penal Code of 1960 and is accorded to article 31 of the constitution³⁵. It was adopted after Amman hotel bombings in 2005. According to this law, terrorist act is defined as “any deliberate action committed by any means, leading to killing or physically hurting any person, or causing damages to public or private property, or to the means of transportation, the environment, the infrastructure, or the utilities of international organizations or diplomatic missions, and aimed at breaching public order and jeopardizing the safety and security of society, obstructing the application of the Constitution’s provisions, affecting the policy of the State or the government, or forcing them to perform or refrain from performing a specific deed, or disrupting national security through intimidation, terrorization, or violence”³⁶. However, according to some lawyers and legal activists, there may be some confusing issues when it comes to laws related to extremism and radicalization, not terrorism.

Originally, the law criminalizes the call to extremist ideology or the use of weapons. Yet, in practical application, the law criminalizes the idea without resorting to the legal text. Article No. 3 of Anti-Terrorism Law states that:

- a. Performing any direct or indirect act towards providing or collecting or raising funds for the purpose of committing a terrorist act, while being aware that they would be entirely or partially used for this act, and whether or not this act was actually performed inside the Kingdom or against its citizens or interests abroad.
- b. Recruiting people inside or outside the Kingdom to join groups that aim at performing terrorist acts inside the Kingdom or against its citizens or interests abroad.

³⁴ <https://alghad.com/%D8%AD%D9%82%D9%88%D9%82%D9%8A%D9%88%D9%86-%D8%AD%D8%B1%D9%8A%D8%A9-%D8%A7%D9%84%D8%B1%D8%A3%D9%8A-%D9%88%D8%A7%D9%84%D8%AA%D8%B9%D8%A8%D9%8A%D8%B1-%D9%81%D9%8A-%D8%A7%D9%84%D8%A3%D8%B1%D8%AF%D9%86./>

³⁵ Please check Anti-Terrorism Law at: [https://ihl-databases.icrc.org/ihl-nat/a24d1cf3344e99934125673e00508142/4d39e76935f76f4fc125767e00320698/\\$FILE/Anti-Terrorism%20Law.PDF](https://ihl-databases.icrc.org/ihl-nat/a24d1cf3344e99934125673e00508142/4d39e76935f76f4fc125767e00320698/$FILE/Anti-Terrorism%20Law.PDF).

³⁶ *Ibid.*

c. Establishing a group, organization, or society with the aim of committing terrorist acts inside the Kingdom or against its citizens or interests abroad, or joining such a group.

There is no statement in this article which criminalizes someone who carries extremist ideology or anyone promoting the idea. Yet, the courts did not differentiate between embracing the ideology, performing the terrorist act or promoting it. In a case in which Lawyer Adel Saqf Al-Hait was the defense attorney, he stated that his client was being criminalized for embracing the ideology. In fact, the accused did not promote an ideology, and it was not proven that he was. Nevertheless, the police arrested him because he frequently went to a mosque and sat with a group of people who promoted radicalized ideology. Thus, according to Lawyer Saqf Al-Hait, embracing an extremist ideology is not criminalized by law, and this is not only in Jordan but in the whole world. This law was amended in 2014, redefining terrorism to expand the criminalization of a number of acts as terrorist acts. It also increased the penalties for terrorist acts, imposed severe penalties on any act considered by the law to be a terrorist act, and criminalized persons who form groups with the intent of terrorism. Amending the law for a third time (with the Law Amending the Prevention of Terrorism Law of 2016) gave broad powers to administrative rulers and security and military agencies to arrest people under the pretext of countering terrorist acts and radicalization.

At the level of executive procedures, the Jordanian government issued instructions to all banks operating in the Kingdom, including compliance with checking their customers' accounts and making sure that balances are frozen at the government's request when there is any kind of suspicion regarding money laundering. Co-operation with other countries and with (Interpol) have been established through many bilateral agreements for security measures. The security services monitor the sale and purchase of raw materials used in the manufacture of dangerous materials to ensure that they are not used for terrorist purposes.³⁷

5. The institutional framework in the field of (de-) radicalisation

The national plan to confront extremism was prepared by the government in 2014, in which it determined the responsibility of ministries and public institutions to achieve this goal as well as to address the manifestations of extremism and radicalization that began invading the region, targeting mainly young people as a result of global, regional and local conditions. The plan sees that confronting extremism and intellectual extremism requires joint efforts that include all aspects related to this phenomenon—educationally, culturally, politically, socially, economically and religiously. The plan emphasized the necessity of enlightenment. An open and tolerant religious culture would pave the way for pluralism and acceptance of the other, whether this other is perceived as an opinion, an individual, a society, a religion or a culture. It also stressed the importance of publicizing the idea of a democratic political Jordanian society. Wherever this ideology weakens, the culture of violence and extremism in its various forms flourishes. The plan finally called for inculcating the values of tolerance,

³⁷ <https://www.petra.gov.jo/Include/InnerPage.jsp?ID=117655&lang=en&name=news>.

pluralism, and a culture of respect for human rights and acceptance of others, and consolidating them through institutions concerned with guidance and education³⁸. The governmental strategy for combating terrorism and intellectual extremism is based on three dimensions, namely the measures represented by the military actions carried out against terrorist and extremist groups, the security and intelligence dimension with other countries that have good foreign relations with Jordan, while the last dimension is represented by the intellectual one which aimed at immunizing the individual and society from extremist thought.³⁹

5.1 The role of the Jordanian Armed Forces in combating extremism and terrorism

The armed forces play their role in combating extremism and terrorism according to their own preventive strategy:

First: the military basis. It is the preventive and cautionary measures by which military force is used. The stationed security forces borders to prevent illegal entry into the state, guard and secure all camps and military units, carry out military operations against terrorist cells, collaborate with regional and international countries, and build international alliances.

Second: Internal security. It includes the exchange of information and coordination between all security and military agencies, at all levels, as well as with regional and international countries, and strengthening the deep defensive security deterrence of terrorist activity and extremist ideology.

Third: the ideological basis. The role of this strategy is summed up in immunizing the members of the armed forces against extremist ideology, spreading a culture of kindness, and combating a culture of violence⁴⁰

On the institutional level, the Directorate for Combating Extremism and Terrorism was established in 2014 to follow up the implementation of the national plan to counter extremism and any amendments that may occur or replace it. In 2017, the Jordanian Center for Combating Intellectual Extremism within the Jordanian Armed Forces was established, which is an academic center specialized in preparing studies of extremist thought and combating it.⁴¹

6. Two in depth Case Studies

6.1 Community Peace Center

In 2015, the idea of establishing a Community Peace Center emerged as one of the strategic plan projects of the Public Security Directorate in combating extremist ideology. As a unit, it unifies efforts directed at combating extremist ideology and dedicates the concept of institutionalization in raising awareness, prevention and treatment of the dangers of this ideology. Its sustainability is based on maintaining a participatory

³⁸ <https://alghad.com/%D8%A7%D9%84%D8%BA%D8%AF-%D8%AA%D9%86%D8%B4%D8%B1-%D8%A7%D9%84%D8%AE%D8%B7%D8%A9%D8%A7%D9%84%D9%88%D8%B7%D9%86%D9%8A%D8%A9%D9%84%D9%85%D9%88%D8%A7%D8%AC%D9%87%D8%A9%D8%A7%D9%84%D8%AA%D8%B7%8%B1/>

³⁹ <https://petra.gov.jo/Include/InnerPage.jsp?ID=158247&lang=ar&name=news>.

⁴⁰ <https://unipath-magazine.com/ar/%D9%85%D9%86%D9%87%D8%AC-%D8%A7%D9%84%D8%A3%D8%B1%D8%AF%D9%86%D9%84%D9%85%D9%83%D8%A7%D9%81%D8%AD%D8%A9-%D8%A7%D9%84%D8%A5%D8%B1%D9%87%D8%A7%D8%A8./>

⁴¹ <https://petra.gov.jo/Include/InnerPage.jsp?ID=158247&lang=ar&name=news>.

work and opening channels of communication and collaboration with the local community in highlighting the importance of having a moderate religious thought at the national level.

The center aims to combat extremism in all its forms, immunize society from the dangers and effects of radicalization, open channels of dialogue with adherents of extremist thought to change their behavior and rehabilitate them, create a society that rejects extremism. It also monitors social media and ensures that there are no messages that promote extremism. The center's objectives include working to safeguard people with special needs since this group is targeted for recruitment by terrorist groups.

The media spokesman for the Public Security Directorate in Jordan, Lt. Col. Amer Al-Sartawi, stated that "the center, in cooperation with various ministries and authorities in Jordan, holds awareness and education workshops in order to confront terrorist ideology." Al-Sartawi added that the center classifies cases according to the "degree of risk", and then deals with them with "strict confidentiality" according to the highest professional and technical standards. Al-Sartawi pointed out that the Community Peace Center is constantly working on forming a public opinion against extremist ideology that targets society. Al-Sartawi noted that the cases that the center deals with are subject to a program aimed at correcting their extremist thought, but if any of the cases constitute a security risk, they are referred to the judicial authorities to take the necessary action against them⁴².

On the other hand, the center collaborates with other non-state institutions like the Institute for Non-Violence Action (NOVACT) and Woemn Against Violence Institution in order to promote and support non-violent movements through social activities directed to youth and women.

6.2 Dialogue program for inmates of takfiri thought in reform and rehabilitation centers

In 2009, the Correction and Rehabilitation Centers Department arrested 36 inmates who converted to the extremist (takfiri⁴³) ideology in prison. They are inmates who were tried mainly on cases such as robbery, thefts and other criminal cases. According to the director of reform and rehabilitation centers, Colonel Sharif Al-Omari, there is no connection between the criminal takfiris with the Islamic groups known as the groups of organizations who are convicted and arrested on cases affecting state security. There remains a list of concerns about the recurrence of the takfiri ideology within the reform and rehabilitation centers. It is worth mentioning that Ahmed Fadi Al-Khalayleh (Abu Musab Al-Zarqawi), who was imprisoned in the mid-nineties for cases not related to terrorism at the time, adopted extremist ideology after spending time with the spiritual guide of Salafi groups Abu Muhammad Al-Maqdisi. While the number of convicts and detainees in cases affecting state security (organizations) is 100 inmates, Colonel Al-Omari indicated that this group of inmates have a special isolation classification from the rest of the inmates in application of the policy of classification and isolation and due to the nature of their crimes, they enjoy all the rights that are provided to other inmates.

Accordingly, the Committee for Dialogue with the Inmates to combat Extremist (takfiri) Thought, headed by His Highness Prince Ghazi bin Muhammad, and the membership of the Director of the Correctional and Rehabilitation Centers Department, Preventive

⁴² So far, we don't have specific analysis or data on the results achieved by the center other than what is announced formally by officials.

⁴³ Takfiri is an Arabic and refers to a Muslim who accuses another Muslim to be an apostate.

Security, the Ifta Department, and the Community Peace Center, has been formed. Its mission is to “dialogue with inmates who possess extremist ideology, whether they are detainees or those who have been convicted, and enlighten them about the moderate doctrines of Islam. According to the Director of Correction and Rehabilitation Centers, Brigadier General Anwar Qudah, the members of this committee are made up of professors in Islamic Sharia sciences from Jordanian universities, whose mission is to “interview the inmates of the takfiri thought, dialogue with them, and present the legal evidence that refutes this thought.” So far, they have managed to “return a number of those who adopt extremist ideology to their senses and keep them away from the takfiri ideology.” He refused to mention the number of these inmates, fearing that “this would impede the progress of the committee’s plan and might push some of the inmates to stop the dialogue.”

7. Conclusion

The legal and policy framework of radicalization and de-radicalization can be characterized as ambiguous and still needs more development. This is manifested in the application of the legal text which allows authorities to (mis)use the legal text, prescribed as confusing, as a pretext to assure the internal security in the country.

Furthermore, there were concerns that the amendments that followed the anti-terrorism law may lead to restricting freedom of speech and press as well as increase extremist thought in the state. According to the latter, the mistrust between the government and the citizens increases because the state institutions sometimes violate human rights standards when arresting demonstrators, activists, or whoever writes opposing posts on social media (Amnesty International, 2019). They abuse their power in absence of legislative power and through relying on cybercrime law and anti-terrorism law which, according to the public opinion and human rights activists, violates freedom of expression on social media as well as individual’s rights of privacy (Samaro and Sayadi, 2019).

On the other hand, Jordan identified the basic elements of its strategy to combat terrorism in three areas: confronting extremist ideologies, strengthening social cohesion, and building social resilience. It is also based on three axes, namely security, military and ideological.

It is clear that the state and its military and security institutions have the authoritative control in managing de-radicalized initiatives and efforts conducted through their institutions. They include policing measures, preventive measures, and spreading awareness measures. After the Syrian crisis in 2011 and the unexpected expansion of terrorism and radicalization, Jordan sought to combat forms of extremism by activating non-governmental organizations and civil society associations to assist the regime in preventing terrorism and countering radicalization due to their vital role in this sense. Yet, all non-state actors are linked to the state and “are created by a royal decree and presided by royal authorities, being this very common phenomenon in Jordan” (Casajuana and Delgado, 2018, p. 10).

From the conducted interviews, it was noticed that the problem doesn’t lie in the legal texts. It has to do with the application and the utilization of those texts. Also, awareness

programs and workshops are insufficient and lack professional strategic plans. Originally, we find that there is reluctance among many young people to attend workshops about de-radicalization. The interviewed stakeholders agreed that young people need programs that simulate their thinking, such as awareness trips that combine the entertainment and educational aspects. But at the present time, there is not enough interest on the part of the state to focus on student activities and student clubs in universities to combat radicalized ideology.

When it comes to preventive measures, the state laws related to cyber-crimes law, some limitations justified by law for freedom of speech, press and assembly, along with the recent martial law are all in-state actions taken to prevent radicalization. On the other hand, the military state institutions with its programs presented in the case studies rely on spreading awareness programs, workshops, and trainings for different groups in the country to highlight the hazardous conditions that accompany any extremist or radicalized thought or action. In addition, the state awareness programs focus on youth citizens and extremist convicts to mitigate the spread of any unpleasant extremist thought.

We believe that spreading awareness programs and enacting laws are not enough to counter radicalization for the latter increases the mistrust gap between Jordanians and the government and limits their freedom rights enacted by the same laws. Countering radicalization should start from modifying the educational system which should focus on the Islamic moderation, Islamic tolerance, respect and acceptance of the other. On the other hand, state institutions should create and supervise activities and events, like camping and sports, in order to raise nationalism among youth people and to infuse civic engagement as well.

Annexes

Annex I: Overview of the legal framework on radicalisation and deradicalisation

Legislation title (original and English) and number	Date	Type of law	Object/summary of legal issues related to radicalisation	Link/PDF
Article (147/1) of Penal Code No. (16) of 1960 المادة (1/147) من قانون العقوبات رقم (16) لسنة 1960	1960	General Law/Criminal Law	Defining acts of terrorism Terrorist acts mean all acts that aim to create a state of panic and are committed by means such as explosive devices, inflammable materials, toxic or incendiary products, and epidemiological or microbial agents that are likely to create a public danger.	https://magajm.najah.edu/legislation/33/
Anti- Terrorism Law No. (55) of 2006 Amended in 2014 قانون منع الإرهاب رقم (55) لسنة 2006 وتم تعديله عام 2014	2006 Amended in 2014	General law/Criminal law	The law was amended but only to broaden its already vague definition of terrorism. Article 2 defines a terrorist act as, among other things, any act that would “cause disorder by disturbing the public order”. Furthermore, under its article 3, certain acts criminalised under the Penal Code are also considered acts of terrorism, including “disturbing relations with a foreign country”. These provisions leave room for interpretation and are not limited to precise threats and clear types of violent attacks.	http://www.lob.jo/?v=1.13&url=en/LegislationDetails?LegislationID:2919,LegislationType:2,isMod:false
Article (12/1) of Cybercrimes law No. (27) of 2015 قانون الجرائم الالكترونية رقم (27) لسنة 2015	2015	General law/Criminal law	Anyone who gains access to the information network or information system by any means without a permit or in violation of or exceeds the authorization with the aim of accessing data or information not available to the public that affects the national security, foreign relations of the Kingdom, public safety or the national economy shall be punished by imprisonment for a period of no less than four years. months and a fine of	http://www.lob.jo/?v=1.13&url=ar/LegislationDetails?LegislationID:3184,LegislationType:2,isMod:false

			not less than (500) five hundred dinars and not more than (5000) five thousand dinars.	
Martial Law Article 1	2020	General Law	Imposing restrictions on people's freedom of assembly, movement, residence, and arrest or detention of suspects, or those who pose a threat to national security and public order.	http://www.p.m.gov.jo/content/1588539907/%D8%A3%D9%88%D8%A7%D9%85%D8%B1-%D8%A7%D9%84%D8%AF%D9%81%D8%A7%D8%B9.html

NATIONAL CASE LAW

Cas e number	Date	Name of the court	Object/summary of legal issues related to radicalisation	Link/PDF
Case 1785 / 2016	20-10-2016	Jordan Court of Cassation	Article (7) of the Prevention of Terrorism Law, in view of the seriousness of the crime to the safety, security and stability of society, in order to	http://www.jc.jo/ar/decision/item/krar-rkm-1785-2016-fsl-20-10-2016-144

⁴⁴ The name of the suspect is hidden for national security purposes. The suspect threatened to kill people whom he considered apostates and escaped to a mosque to hide there.

			preserve its components, facilities, institutions and public and private properties, and in order to protect lives and not expose them to terror and threat.	
Case Confidential	31-1-2017	Jordan Court of Cassation	Carrying out terrorist acts, using weapons that led to the death of a person, in violation of the provisions of the Prevention of Terrorism Law, and in accordance with the same articles, he was sentenced to death by hanging and confiscation of seizures.	https://aawsat.com/home/article/843061/%D9%85%D8%AD%D9%83%D9%85%D8%A9%D8%A7%D9%84%D8%AA%D9%85%D9%8A%D9%8A%D8%B2-%D8%A7%D9%84%D8%A3%D8%B1%D8%AF%D9%86%D9%8A%D8%A9-%D8%AA%D8%B5%D8%A7%D8%AF%D9%82-%D8%B9%D9%84%D9%89-%D8%A5%D8%B9%D8%AF%D8%A7%D9%85-%D9%82%D8%A7%D8%AA%D9%84-%D9%86%D8%A7%D9%87%D8%B6-%D8%AD%D8%AA%D8%B1 ⁴⁵

⁴⁵ This case refers to Riyadh Ismail, the one who assassinated Nahed Hattar. There is no public record of the case number nor public legal information about the case except what was reported by local and international news-reports.

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OTHER RELEVANT ISSUES

	Constitutional provisions	Statutory law (statutes, rules, regulations etc.)	Important case law	Comments/issues relevant to radicalisation
Freedom of religion and belief	Constitution 1952			<p>Article 2 Islam is the religion of the State and Arabic is its official language.</p> <p>Article 7 Personal freedom shall be guaranteed.</p> <p>Article 14 The State shall safeguard the free exercise of all forms of worship and religious rites in accordance with the customs observed in the Kingdom, unless such is inconsistent with public order or morality.</p> <p>Article 15 (i) The State shall guarantee freedom of opinion. Every Jordanian shall be free to express his opinion by speech, in writing, or by means of photographic representation and other forms of expression, provided that such does not violate the law. (ii) Freedom of the press and publications shall be ensured within the limits of the law. (iii) Newspapers shall not be suspended from publication nor shall their permits be revoked except in accordance with the provisions of the law. (iv) In the event of the declaration of martial law or a state of emergency, a</p>

				limited censorship on newspapers, publications, books and broadcasts in matters affecting public safety and national defence may be imposed by law. (v) Control of the resources of newspaper shall be regulated by law.
Equality rights	Constitution 1952			Article 6 (i) 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.
Freedom of expression/ assembly and establishing political parties	Constitution 1952			Article 16 (i) Jordanians shall have the right to hold meetings within the limits of the law. (ii) Jordanians are entitled to establish societies and political parties provided that the objects of such societies and parties are lawful, their methods peaceful, and their by-laws not contrary to the provisions of the Constitution. (iii) The establishment of societies and political parties and the control of their resources shall be regulated by law

Annex II: List of institutions dealing with radicalisation and deradicalisation

Name of the initiative	Scale	Agents	Area of competence and target groups	Link
Ministry of Interior's Directorate of Combating Extremism and Violence	National	Ministry of Interior	National Program for the Prevention of Violent Extremism (Now also in hands of Prince Rashid Special Forces office)	https://kja.at/praevention/netzwerk-deradikalisierung-praevention/
Public Security Directorate's Community Peace Center	National	Public Security Directorate Cooperation with several other NGOs in the field	Preventive radicalization program with local communities and civil society and a prison-based deradicalization program	https://www.psd.gov.jo/index.php/ar/2015-03-30-15-41-09
NOVACT Institute for Non-Violent Action	local	MOU with governmental institutions and NGOs	Promote international peace building actions in conflict situations. Support nonviolent movements or peaceful civil resistance Develop Civil and Nonviolent Peacekeeping Operations Workshops and awareness sessions on violent and non-violent extremism	https://novact.org/about-us/?lang=en
Women Against Violence Association	local	NONE	Women empowerment through non-violent actions Workshops and interviews on radicalization and terrorism against women	http://womenav.org/
Penal Reform International	International	Amman	Develop gender-sensitive and	https://www.penalreform.org/where-we-work/mena/

			<p>child-friendly justice systems</p> <p>Promote non-custodial sanctions, particularly for vulnerable groups</p> <p>Support countries to adopt national and integrated plans for reform</p> <p>Build regional human resource capacity through networks of expertise</p> <p>Promote the abolition of the death penalty.</p> <p>Workshops, awareness sessions, and rehabilitation for radicalized and terrorist offenders</p>	
Sharafat for Globalization and Terrorism Studies Center	national	Amman	Research center on (de)radicalization	https://www.shorufatcenter.com/

Annex III: Best Practices/Interventions/Programmes

	Institution(s)	Aim	Source	Evidence of effectiveness / literature
1. Community Peace Center	Public Security Directorate	Combating extremist ideology and raising awareness, prevention and treatment. Maintaining a participatory work and opening channels of communication and collaboration with the local community towards a moderate religious thought.		
2. Dialogue program for inmates of takfiri thought	Correctional and Rehabilitation Centers Department	Dialogue with inmates who show extremist thoughts, in order to enlighten them about a moderate religious doctrine		

Annex IV: Policy recommendations

- State institutions should work on a clear strategic plan to counter radicalization as the strategic plan which was drafted in 2016 suffers from a severe weakness in understanding the causes and reasons through which extremist ideology appears.
- State institutions should increase collaboration with national and international organisations to work on the strategic plan to combat radicalization and then implement the strategic positive measures related to deradicalisation.
- The state's legal institution should improve the legal framework to promote basic liberties within the Human Rights instead of merely focussing on biases related to public security and national security.
- Jordan should cooperate with the countries in the region to develop a regional agreement to combat radicalization and terrorism of which the relevant laws would be modified and activated.

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