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# The Constitution of Christian Communal Boundaries and Spheres in Jordan

Géraldine Chatelard

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When the Emirate of Transjordan was established in 1921, the British mandatory authorities estimated the population of this newly created Sunni Muslim-majority country at 230,000 persons out of which a little less than 10 percent were Christians.<sup>1</sup> According to Ottoman statistics for the year 1914, Christians were present in the northern and central districts (Ajlun, Salt, and Karak) east of the Jordan River in villages and towns. There were few Christians in the southern regions (Tafila and Ma'an).<sup>2</sup> In the last decades of Ottoman rule over Transjordan, then part of the province of Syria, the Greek Orthodox church, to which all Christians East of the Jordan river were originally affiliated, had had to face the missionary activities of the Roman Catholic clergy to the point that about one-fifth of the local Christians had changed denomination by the turn of the twentieth century.<sup>3</sup> Other churches—missionary, such as the Anglicans, or Eastern, such as the Armenians and Greek Catholics—had few followers. In scarcely populated and under-developed Transjordan, up to then a remote region of the Ottoman empire,<sup>4</sup> the Christian minority was in fact rather sizable and carried a certain social and economic weight. The community had an organized network of religious and social institutions and also counted several prominent families who held land and commercial capital. Transjordanian Christians also had a history of social, political, and economic integration to the Muslim-majority society through a social order based on kinship, honor, and customary tribal law that underscored hierarchies based on religious differences.<sup>5</sup> The prevailing relations between Christians and Muslims in this region was far removed from Islamic scriptural norms that made Christians and other members of monotheistic faiths “protégés,” or *dhimmi*-s, under the dominance of Islam.<sup>6</sup>

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1 Mary Wilson, *King Abdullah, Britain and the Making of Jordan* (Cambridge: Cambridge University Press, 1987), 56.

2 Meir Zamir, “Population Statistics of the Ottoman Empire in 1914 and 1919,” *Middle Eastern Studies* 7 (1981): 96.

3 On the development and impact of Roman Catholic missionary activities in Ottoman Transjordan, see Géraldine Chatelard, *Briser la mosaïque* (Paris: CNRS Editions, 2004), chap. 2.

4 On the last decades of Ottoman rule in Transjordan, see Eugene Rogan, *Frontiers of the State in the Late Ottoman Empire* (Cambridge: Cambridge University Press, 1999).

5 Chatelard, *Briser la mosaïque*, chap. 1.

6 For a review of Islamic scriptural norms and a historicization of the position of non-Muslims in the Arab provinces of Ottoman Empire that highlights the distance between norms and the variety of local practices, see the contributions in *Christians and Jews in the Ottoman Empire. The Functioning of a Plural Society*, vol. II, ed. Benjamin Braude and Bernard Lewis (New York: Holmes and Meir, 1982).

reviewer for providing insightful comments on a first draft of this article. Research was conducted between 1996 and 1998 while a doctoral fellow at the Centre d'études et de recherches sur le Moyen-Orient contemporain in Amman, Jordan, thanks to a doctoral grant from the French Ministry of Foreign Affairs.

The Christian minority population was not overlooked by the rulers of the new Transjordanian state, first under British mandate and after the accession of the country to independence in 1946.<sup>7</sup> Among its obligations received from the League of Nations, Great Britain, as the mandatory power, had the duty to guarantee the political and social rights of so-called minorities, which also covered the smooth functioning of the latter's religious institutions.<sup>8</sup> Relations between the civil authorities of the Emirate of Transjordan and Christian religious authorities were established following an official line of co-operation and good will, in large part due to the fact that the various parties had mutual and complementary interests to defend. The monarchy, capitalizing on its descent from Islam's founder, Prophet Mohammed, sought to lay claim to a tradition of protecting Christian communities under Islamic rule. Concurrently, the new state integrated the Ottoman reforms, known as the *tanzimat*, in its Constitution and body of laws undertaken in the late nineteenth century to modernize the status of non-Muslims and grant them equal citizenship rights while maintaining a degree of communal autonomy for the *millet*-s, or religious communities.<sup>9</sup> Christians were therefore considered to be both citizens and members of religious communities (in Arabic *ta'ifa dinniyya*, pl. *tawa'if dinniyya*) by the nascent Emirate of Transjordan. The churches, for their part, wished to maintain a certain independence from the state.

In a historical perspective, and with a focus on the years immediately following independence, the remainder of this article aims to clarify how Christian communal spheres were constituted in Jordan between the inception of the state and the early 1970s. This will be accomplished by exploring the dynamic relations between the Hashemite state and the two main Christian communities present in Jordan through secondary sources, several of them produced by members of these communities and through interviews conducted in Jordan between 1996 and 1998. Beyond historiography, this article reflects on the factors that shaped different boundaries for the Orthodox and Catholic spheres with a view to understanding their respective openness or closeness toward the Jordanian Muslim-majority society at large.

### *The Legal Boundaries of Communal Spheres and the Imposition of an Islamic Public Order*

Rather than proposing a history of the laws regulating Christian identities and institutions in Jordan, the text of these laws and the negotiations that ensued from their implementation will be explored in order to understand their role in regulating the social sphere. Specifically, I am interested in how legislation was used to set the boundaries of Christian religious communities with respect to the public domain over which the predominance of a state-sponsored version of Islam was ensured. This entails that the state granted religious jurisdictions prerogatives over personal status by recognizing the role of Muslim and Christian religious personnel as official registrars of individuals' civil status. Furthermore, Muslim and Christian religious communities were allowed to play educational and social roles.<sup>10</sup>

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7 The country experienced continuity in political rule with the Hashemite monarchy remaining in power after the departure of the British administration. However, the official name of the country was changed from the Emirate of Transjordan into the Hashemite Kingdom of Jordan in 1950 after the annexation of the Palestinian West Bank.

8 Carole Fink, "The League of Nations and the Minorities Question," *World Affairs* 157 (Spring 1995): 197–205.

9 Braude and Lewis, ed., *Christians and Jews in the Ottoman Empire*.

10 The following section is based for the most part on the consultation of the various legal texts mentioned and on the theses in canon law of two clerics of the Latin Patriarchate of Jerusalem: Georges Bateh, *Les Chrétiens de*

The foundational legislative text for the Emirate of Transjordan, the Organic Law of April 16, 1928, dealt with religion rather briefly, establishing Islam as the religion of the state and the monarch, guaranteeing liberty of conscience and religion on the condition that this did not threaten public order or morality (Art. 10). The underlying implication of making Islam the religion of the state was that the public order of coexistence between communities was an Islamic order. One implicit restriction deriving from the imposition of this order was that Christian proselytism toward Muslims was unlawful since Shari'a, or Islamic Law, considers the conversion of Muslims an apostasy. The Organic Law recognized the right of a church to form a religious community (*ta'ifa dinniyya*) (Art. 11). This article was further specified by the Law 22 of 1938 on the "Formation of councils of non-Muslim religious communities" (*qanun majalis tawa'if ad-dinniyya ghayr muslima*): the internal organization of the community remained entirely free, but each one should give itself statutes and form a steering committee with the power to receive donations left through bequests for its charitable works (*waqf*, pl. *awqaf*). By this text, the Jordanian legislator recognized nine non-Muslim communities, all of them Christian, and each with the right to maintain courts for affairs of personal status, and social and educational institutions: the Greek Orthodox, the Greek Catholic (or Melkite), the Armenian Orthodox, the Latin (or Roman Catholic), the Arab Evangelical Episcopalian church (or Anglican), the Maronite, the Evangelical Lutheran church, the Syrian (or Syriac) Orthodox, and the Seventh Day Adventist.

The law of 1938, which was neither abrogated nor substantially amended after the independence, grants the courts of recognized Christian communities the same powers of jurisdiction over personal status as the Islamic or Shari'a courts. Personal status comprises matrimonial cases, divorce and custody of children, succession, confirmation of wills, change of religious affiliation, and the constitution of religious endowments (*awqaf*). Each community applies the Canon Law of its own church.<sup>11</sup> The law provides for the establishment of courts of first instance and courts of appeal on the Jordanian territory, which was a novelty, since before the creation of Transjordan these tribunals sat in Jerusalem or Damascus.<sup>12</sup> Nomination of members of the courts by their respective bishops must be approved by royal decree, after which the decisions of the tribunals are applied by the national executive authorities. Declarations of marriage, divorce, etc. are made by priests, and then transcribed into the national civil registry where the confessional affiliation of each citizen is mentioned. As is the case with nationality law that establishes paternity as the source of nationality,<sup>13</sup> religious affiliation follows a patrilinear pattern: children are legally registered at birth as members of their fathers' community.

Inheritance rights for daughters deserve a special mention as they have been the object of grievances by Christians. In 1922, British Mandate authorities introduced a provision on Christians'

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*Palestine sous la domination ottomane* (Rome: Université pontificale du Latran, 1963); and Jihad Sweihat, *La Constitution des tribunaux ecclésiastiques selon la législation jordanienne* (Rome: Université pontificale du Latran, 1992). Readings were supplemented with interviews conducted in 1997 in Amman with Father Ghaleb Bader, then president of the Latin ecclesiastical court, and Father Adib `Amari, then president of the Orthodox ecclesiastical court.

11 Latin personal status was only codified in 1954, before which it was based on unwritten legislation, while the Orthodox follow the Byzantine canon, amended for the last time in 1822. The major difference between the two canons in terms of personal status concerns the possibility of divorce: as this is prohibited by Rome, it is not unusual for a Catholic couple wishing to separate to shift affiliation to the Orthodox church in order to have their union dissolved.

12 Bateh, *Les Chrétiens de Palestine . . .*, 67. Communities with small numbers of members requested to use the courts of the church whose canon law was closest to their own: so the Maronites could go before Latin courts, the Armenians and Orthodox Syrians before Greek Orthodox courts, and the Lutherans and Seventh Day Adventists before Anglican courts.

13 Joseph Massad, *Colonial Effects: The Making of National Identity in Jordan* (New York: Columbia University Press, 2001), 35.

inheritance rights. Inspired by Western civil law, it stipulated that girls and boys should inherit equal shares. The 1951 family law of independent Jordan abolished this text and referred each church to its own canon. To this day, none of the legal texts of the churches present provide clauses concerning the distribution of shares of an inheritance, simply stipulating that the civil law of the country should apply. It ensues that, in the absence of civil law covering personal status in Jordan, the provisions on inheritance provided by Shari'a are applied to Christians by their own courts. The grievances expressed by some Christians relate to the fact that the Islamic legal regime grants to daughters half a share of inheritance compared with their brothers. Under Shari'a, individuals nevertheless have the possibility to make a will in favor of persons of their choice, including their daughters, to whom they can bequest a share as large as they please.

In matters of religious affairs, Islamic Law is not only that of the majority community, but also that of the state. It is therefore in a dominant position compared with the Canon Law of the churches, and Shari'a prevails when contradictions appear between the two regimes. Thus, the law authorizes changes of religious affiliation according to the Canon of each church. Changes are recorded in the civil registry. In practice, this signifies that Christians have the possibility to change their affiliation from one church to another. However, as Shari'a does not countenance the conversion of a Muslim to Christianity, this remains in principle illegal, while the reverse is legal. Finally, in the case of inter-confessional marriages, Shari'a once again has the weight of authority: a Christian woman may marry a Muslim man before an Islamic court and retain her original religion if she so wishes, but a Christian man may not take a Muslim wife. This impossibility can be bypassed if the man converts to Islam. The fact that the majority of Jordanian Christian women who marry Muslims adopt their husbands' religion may be attributed to both social pressure and to the clauses on inheritance and custody of children.<sup>14</sup> Shari'a provisions on inheritance prevent a Christian woman from inheriting property from her Muslim husband or children and make it more difficult for her to obtain the custody of her children in case of divorce or her husband's death.

Following independence from British mandate in 1946, a constitution was enacted in 1952. It was hailed in Latin ecclesiastic circles as "the most liberal among Arab countries regarding the status of Christians."<sup>15</sup> In keeping with the Organic Law of 1928, it reaffirmed the status of Islam as the religion of the state and devoted section VI entirely to the public domain of religion. According to Article 6, "Jordanians are equal before the law, and whatever difference may exist among them in race, language and religion, no differentiation shall be made in their rights and duties." According to Article 14, "The State shall protect the free exercise of religious ceremonies and beliefs in accordance with the customs observed in the Kingdom, unless detrimental to public order or contrary to morals." Freedom of education, mishandled by so-called progressive Arab regimes in Syria and Iraq after the independence of their countries, was guaranteed by Article 19: "Any community shall have the right to establish and maintain schools for the education of its own members provided that they conform to the general requirements prescribed by the law and submit to Government supervision in their curriculum and supervision."

This last phrase indicated a shift in the state's policy toward the educational activities of Christian communities. Whereas, before independence, they previously enjoyed almost total autonomy in the management of their social and educational institutions, the decade after independence was marked by an effort of successive governments to set up some control over those areas. The state continued its undertaking of modernizing infrastructure, the agricultural sector, and social and educational services, together with its development of the public administration and the army.<sup>16</sup> It, however, also had to deal with a tripling of its population—amounting to 1.5 million

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14 Willy Jansen, "Creating Identities: Gender, Religion and Women's Property in Jordan," in *Who's Afraid of Femininity? Questions of Identity*, ed. M. Brugman et al. (Amsterdam and Atlanta: Rodopi, 1993), 157–67.

15 *Proche-Orient chrétien*, 1953, 32.

16 Paul Kingston, *Britain and the Politics of Modernisation in the Middle East, 1945–1958* (Cambridge: Cambridge University Press, 2002), 123–53.

people—with refugees flowing in from Palestine in 1948 and the subsequent annexation of the Palestinian West Bank to Jordan. There was a Christian minority among Palestinian refugees and resident population of the West Bank that comprised the towns of Bethlehem and Jerusalem, and the demographic balance between Muslim and Christians in Jordan was not markedly altered by the new geopolitical configuration. In 1950, Christians still made up some 9 percent of the Kingdom's total population, 90 percent of whom were residents of Amman. Furthermore, the patriarchal sees of the two main Christians Churches, the Greek Orthodox and the Roman Catholics, were in Jerusalem. Together with the dense network of Christian religious institutions present in the West Bank, patriarchates were now situated inside the borders of the Jordanian state.<sup>17</sup> Drawing most of its revenues from British and U.S. international assistance,<sup>18</sup> the Jordanian government strove to utilize the services provided by voluntary organizations, including those of the churches, to fill the gaps in social services. The 1953 law on voluntary societies was conceived to meet such an objective: it obliged all associations on Jordanian territory, whether newly constituted or already functioning, to be registered with the Ministry of Social Affairs and Health; it authorized the government to verify their sources of funding and check their accounts; and, most importantly from the point of view of Christian communities, it obliged them to supply their services on a nonconfessional basis. In 1958, the Union of Voluntary Societies was established and all registered associations were obligated to become members and to pay 10 percent of their annual revenues to a central fund, which was then redistributed to the most disadvantaged members.

There was also a political rationale behind the new legislative apparatus: it was set up in a context where the stability of the regime was threatened by Pan-Arab movements, Naserist or Ba'athist in inspiration, and by communist activism. Therefore, the government attempted to limit the autonomy of the associations and their dependence on foreign influence, at the same time reducing their use as places for political activities.<sup>19</sup> As early as 1956, a legislative text insisted on prohibiting associations from giving themselves political or religious aims. These laws were not well received by Catholic groups who saw them as restricting their freedom of action, the autonomy of their financing, and the communal framework of their operations that was much more developed than that of the Orthodox church. Meanwhile, the Muslim Brotherhood, which was used by the regime as a counterweight to leftist movements, escaped application of the law by having itself recognized as an Islamic organization, which authorized a far more independent style of management for its social activities.<sup>20</sup> Catholic priests from both banks of the Jordan tried in vain to intervene with the Minister of Social Affairs and Health to obtain an equivalent status for the activities of their community.<sup>21</sup> Two other legal texts provided new occasions for litigation between the churches and the state. The first, the 1953 law on the disposal of real estate by moral persons, authorized the government to exercise a right of supervision on the amount of real estate possessed by religious organizations. The second, the law of 1955 on public education, stipulated, among others, that private schools must adopt the curricula and textbooks of the public education system. These laws particularly affected Catholic property and institutions; and these effects will be addressed in the following section.

Besides legislation, a number of regulations and official practices that have been governing the religious status of Christians in the Kingdom have continuously demonstrated since

17 Daphne Tsimhoni, *Christian Communities in Jerusalem and the West Bank since 1948* (London: Praeger, 1993).

18 Kingston, *Britain and the Politics of Modernisation*.

19 Betty Anderson, *Nationalist Voices in Jordan: The Street and the State* (Austin: University of Texas Press, 2005), 147–69.

20 Marion Boulby, *The Muslim Brotherhood and the Kings of Jordan, 1945–1993* (Atlanta: Scholars Press, 1999), 37–72.

21 *Jérusalem, le Bulletin diocésain*, August 1953, 191–92.

independence the desire of the government to avoid disregarding the convictions of Christian citizens and alienating members of the ecclesiastical hierarchies. Islam being the state religion, the Christian calendar is not official. However, successive monarchs have continued to convey their best wishes to the Christian communities at Christmas and Easter, for which public holidays were declared in Jerusalem and Bethlehem between 1948 and 1967, when these cities were under Hashemite jurisdiction.<sup>22</sup> By decree, Christian schools have been authorized to close on Sundays instead of Thursdays as in government schools (replaced by Saturdays in the 1990s) and in addition to Friday, the official weekly holiday. Finally, Christian civil servants have been allowed to arrive late at work on Sunday mornings in order to attend church services, and to take a day off for major Christian holidays. Most private-sector companies have also respected these arrangements.

The Jordanian state recognizes a private domain for religion: each individual has the right to hold or not hold religious beliefs, to attend or not attend the religious rituals of his/her community, and to submit or not submit to other religious obligations, such as the Islamic fast of Ramadan or the prohibition on alcohol for Muslims. However, demonstration of nonconformist religious attitudes should not threaten public order and have therefore been restricted to private spaces where the state does not permit itself to interfere.<sup>23</sup> What constitutes a breach of public order is nevertheless apt to vary over time. Responding to pressures from conservative Muslim forces, the state has changed the way it regulates individuals' behaviors in the public sphere based on Islamic principles. Regulations concerning the respect due to the Islamic fast of Ramadan are the most telling example. It was only in 1960 that Article 16 in the Penal Code made breaking the fast of Ramadan in public an offense punishable by one month of imprisonment or a fine. The sale of alcoholic drinks, otherwise allowed for licensed outlets and restaurants, was also forbidden during the month of Islamic fasting. These articles were not enforced systematically until the 1980s, allegedly following citizens' recurrent complaints to the authorities.<sup>24</sup> The move came at a time when the government started undertaking physical Islamization of Amman and other measures reaffirming the religious character of the state as a way "to confirm its legitimacy in the face of Islamic activism."<sup>25</sup> These legal provisions have been applying to all Jordanian citizens regardless of religious affiliation. On the basis of personal experience and observations, there is a general implicit agreement on the definition of the public space that comprises government offices and open spaces in populated areas. However, there remains a grey area between public and private domestic spaces, specifically within the premises of private businesses and hotels where behaviors are negotiated between citizens.<sup>26</sup>

Unlike systems that strictly separate institutional religions and state, Jordan recognizes a public domain for religion over which the state legislates by insuring the predominance of official Islam. This predominance entails, in theory, that Islamic matters are part of the public sphere and can be debated and contested by all Jordanian citizens and corporate groups. In accordance with an Islamic order of religious pluralism, the state also draws boundaries to limit the communal sphere of Islam, potentially co-extensive with the state, so as to define Christians communal spheres. Still in theory, the state has no jurisdiction over the content of the latter that is determined by churches'

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22 Tsimhoni, *Christian Communities in Jerusalem . . .*, 4.

23 Antoine Messara, "La régulation étatique de la religion dans le monde arabe: le cas de la Jordanie," *Social Compass* 40 (1993): 581–88.

24 I am thankful to Philip Madanat for checking this point with Abdul Ilah Al-Takhayna, assistant legal advisor of the Jordanian Ministry of Religious Affairs in 2010.

25 Eugene Rogan, "Physical Islamization in Amman," *The Muslim World* 76 (1986): 24.

26 Under a certain type of licenses, restaurants that cater mostly to foreign customers and continue operating during the day in Ramadan can also keep serving alcohol. Although they serve food to Jordanian customers who do not respect the fast, they may refuse to sell them alcoholic drinks.

institutional rules, whereas what happens inside them is not an object of debate in the public sphere and does not affect it. In practice, the boundaries and the content of communal spheres have been the object of negotiations between the state and the churches, and of conflicts among clergy and lay people inciting the state to intervene and at times provoking public debates. The dynamics of interactions between the Jordanian state and the Orthodox and Catholic communities have been markedly different, resulting in differences in the shapes of their respective communal spheres and in their relations to the public sphere.

### *The Greek Orthodox Church, Between the State and the Community*

In the public arena, the Greek Orthodox church in Jordan has always sought to affirm its local (*mahalli*) character in contrast with the Catholic church. It has emphasized its national system of decision making, independence from a foreign supreme authority, and the low level of financial support provided by an extra national network. Generally speaking, the Oriental Orthodox churches, with a long-standing tradition of relations with political authorities, have adapted their structures to that of the states and subordinated themselves entirely to national legislations.<sup>27</sup> In modern Jordan, the government has been approving the election of the Greek Orthodox Patriarch of Jerusalem by the synod of Metropolitans and the nomination of members of the high clergy given bishoprics on Jordanian territory. In the terms of Fuad Khuri, the Orthodox, who adapt religion to state structure, are closer to the Sunni way. Consequently, “the Orthodox, like the Sunni, have a limited number of religious specialists who occupy secondary positions vis a` vis the power elite and perform specifically restricted tasks in society.”<sup>28</sup> Pragmatically, the situation of the Orthodox community with regard to the Jordanian state cannot be dissociated from a long-lasting conflictual relationship between lay Arabs and the all-Hellenic ecclesiastical hierarchy<sup>29</sup> in the Jerusalem patriarchate whose jurisdiction has extended over Palestine (and subsequently Israel) and Transjordan. It cannot be separated either from issues of religious and political sovereignty connected with the Christian Holy Sites on the West Bank of the Jordan.<sup>30</sup>

After the fall of the Ottoman Empire, the efforts the laity initiated in the second half of the nineteenth century to Arabize the Patriarchate and to limit foreign (mostly Greek and Russian) influences<sup>31</sup> continued to be seen as an aspect of the Arab nationalist struggle. Successive political powers—Great Britain of the Mandate, and then the Hashemite monarchy—were approached for mediation in turn by Arab lay organizations and the Hellenic high clergy. Arabs constantly sought the abolition of the Ottoman regulation of 1875 which made the election of the Patriarch of Jerusalem almost exclusively the affair of the Hellenic members of the Brotherhood of the Holy Sepulchre. Their demands were halted for a time by World War I, but resumed once peace had returned, while at the same time the Patriarchate experienced an unprecedented financial crisis after the collapse of the Russian Empire. As a result, the Patriarchate had to close all its teaching institutions, including its seminary in Jerusalem. Maintaining the Ottoman tradition of a degree of state intervention in conflicts internal to the Orthodox community, the British High Commissioner named a commission of inquiry, which concluded that the Patriarchate was financially bankrupt.<sup>32</sup>

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27 Timothy Ware, *The Orthodox Church* (Harmondsworth: Penguin, 1963).

28 Fuad Khuri, *Imams and Emirs: State, Religion and Sects in Islam* (London: Saqi, 1990), 211.

29 Panayiotis Vatikiotis, “The Greek Orthodox Patriarchate of Jerusalem Between Hellenism and Arabism,” *Middle Eastern Studies* 30 (1994): 916–29.

30 Silvio Ferrari, “The Church in World Politics: The Struggle for Jerusalem,” *The European Journal of International Affairs* 1 (1991): 22–39; and Kimberly Katz, *Jordanian Jerusalem: Holy Places and National Spaces* (Gainesville: University Press of Florida, 2005).

31 Derek Hopwood, *The Russian Presence in Syria and Palestine, 1843–1914: Church and Politics in the Near East* (Oxford: Clarendon Press, 1969).

32 Anton Bertram and Harry Charles Luke, *Report of the Commission Appointed by the Government of Palestine*



The Greek government then proposed itself as a guarantor of funds. In doing so, Athens was trying to emerge as the new centre to which the Patriarchate of Jerusalem could turn in order to replace political support from Russia, so that the Autocephalous Greek church would replace the Ecumenical Patriarchate of Constantinople, whose religious influence had difficulty extending outside Kemalist Turkey.<sup>33</sup> But it was precisely to Hellenic influence that the Arab community was opposed, refusing to allow any strengthening of ties with Athens. The authorities of the Mandate themselves prohibited the Patriarchate from accepting Greek money, preferring aid offered by a support committee of American Protestant churches, who exerted a type of influence more in keeping with British political goals. For its part, the Brotherhood of the Holy Sepulchre gave up a part of its vast land holdings to Zionist organizations,<sup>34</sup> a decision made even more unpopular by the fact that Palestinian nationalism was now in full momentum. Meanwhile, the Jordanian and Palestinian laities had become organized. Their demands did not have an anticlerical tone, but aimed at the Arabization of the hierarchy and at the development of community institutions which would allow Orthodox children to be educated elsewhere than in Catholic or Protestant missionary schools. The movement began in Palestinian urban centers and traveled to Transjordan, headed by men who were also engaged in the struggle for Arab nationalism and against Zionism.<sup>35</sup> An Orthodox Brotherhood was created with local committees in a majority of parishes. In July 1923, the first Orthodox Arab Congress met at Haifa where local committees in Palestine and Transjordan sent delegates.<sup>36</sup> Several motions were put to the vote concerning the clergy and community organization, from the parish level to that of the Patriarchate: any spiritual leader who did not know Arabic would be immediately removed; an Arab Metropolitan Bishop should be named for Transjordan; the Patriarchate would not have the right to represent the community in political and economic affairs without the approval of a lay council; community councils would be formed in all parishes to manage local issues, including those relating to personal status, until a Canon Law in Arabic could be promulgated, which was to be closer to local traditions than the Byzantine Canon in force at the time; and an executive committee of the Congress was formed, made up of ten members: seven Palestinians and three Transjordanians.<sup>37</sup>

This Congress inaugurated a long open conflict between the executive committee and successive patriarchs, in which the authorities of the Mandate tried in vain to play the role of mediator. In 1926, a new British commission of inquiry recommended that the members of the Brotherhood of the Holy Sepulchre should adopt Palestinian nationality so as to avoid the involvement of a foreign government, and encouraged the lay associations to take responsibility for organizing educational and benevolent institutions.<sup>38</sup> The Patriarchate ignored these recommendations. Other lay congresses followed, repeating the same demands.

From the 1950s onward, the Arabs appealed to the Hashemite monarchy, which had established its sovereignty over the old city of Jerusalem, where the Christian Holy Sites and the majority of their religious institutions were located.<sup>39</sup> Their demands took on an overt political

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*to Inquire into the Affairs of the Orthodox Patriarchate of Jerusalem* (London: Oxford University Press, 1921).

33 Daphne Tsimhoni, "The Greek Orthodox Patriarchate of Jerusalem during the Formative Years of the British Mandate in Palestine," *Asian and African Studies* 12 (1978): 94.

34 Ibid., 96 ff.

35 Khalil Sakakini, *Kadha ana ya dunya: yawmiyat khalil as-sakakini* (Jerusalem: al-matbu`a at-tijariyya, 1955); and H. al-Hadiqi, *Tarikh al-qadiya al-`arabiyya al-urthuduksiyya* (Amman: sharikat at-tiba`a al-haditha, 1957).

36 Sh. Khuri and N. Khuri, *Khulasa. Tarikh kanisat urshalim al-urthuduksiyya*, reprint of the 1925 original with an update (1925–1992) by Raouf Abujaber (Jerusalem: bayt al-maqdis, 1992), 329–31.

37 Ibid.

38 Anton Bertram and J. W. A. Young, *Report of the Commission Appointed by the Government of Palestine to Inquire and Report upon Certain Controversies Between the Orthodox Patriarchate of Jerusalem and the Arab Orthodox Community* (London: Oxford University Press, 1926).

39 Vatikiotis, "The Greek Orthodox Patriarchate of Jerusalem . . ."

dimension during the fourth Congress of 1956: they were supported by the Arab nationalist movements and the left-wing parties inside the country. The Jordanian government itself, led by Sulayman Nabulsi,<sup>40</sup> took the view that the Arabization of the Patriarchate was an Arab national cause.<sup>41</sup> During the election of the patriarch Benedictos in January 1957, the Jordanian parliament approved new regulations for the Patriarchate that met the majority of Arab demands. But Benedictos, however, presented a counterproposal. In 1958, another set of regulations was approved, a step back with respect to the preceding proposal, but which was accepted by the Arabs as a “first step.” These regulations provided for the creation of management councils in all parishes, the election of a lay council that participated in the management of the affairs of the Patriarchate alongside the ecclesiastical hierarchy, the ordination within three years of two Arab Metropolitans for Jordan, the naturalization of all members of the Synod as Jordanians and an obligation that they speak Arabic. The first Jordanian Metropolitan was ordained in 1960.<sup>42</sup> But the Arabs were hardly satisfied with a law that was respected in letter but not in spirit, since the requests for naturalization of members of the Synod were made just before their nomination and systematically granted by the Jordanian authorities. It appears that the Hashemite authorities, in their role as mediators, did not wish to alienate the Hellenic hierarchy while they were making diplomatic efforts, in particular toward the churches, to have Jordan’s sovereignty over Jerusalem and Bethlehem recognized.<sup>43</sup> The terms of the agreement stated that King Hussein agreed to have the law of 1956 reviewed by Parliament, as it was too favorable toward the Arabs according to Benedictos; in return, the Patriarchate would recognize the annexation of the West Bank to the Hashemite Kingdom without issuing any special reservation concerning the Holy Sites. Moreover, during 1957, when the monarchy was endangered by an attempted military coup, the Patriarch reiterated his loyalty to the King and decorated officials in recognition of their devotion to the church and the Crown.<sup>44</sup>

These are all factors of tension and fracture between the Arab laity, the Hellenic clergy and political and religious authorities, with their local and international dimensions, that must be considered in order to understand how the Orthodox communal sphere took shape between the 1920s and 1950s. At one extreme, the high clergy stood on its privileges, preoccupied above all with ensuring an Orthodox presence in the Holy Sites and seeking alternative sources of funds from the civil and religious authorities in Athens, or continuing to sell or lease buildings or land holdings to Zionist and then Israeli organizations. At the other extreme, in the parishes, management councils associating laity and Arab lesser clergy were confined to benevolent activities, and were not being provided with any financial support from the Patriarchate or any means of direct pressure on the hierarchy. Most considered the members of the Brotherhood of the Holy Sepulchre as traitors to the Arab cause. Civil authorities in the Jordanian state occupied a position that was both external and

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40 After the 1951 assassination of King Abdullah by a Palestinian nationalist, and after the brief reign of his son Talal, the 1950s were marked by the efforts of Abdullah’s grandson Hussein to consolidate power in the face of antimonarchist agitation inspired by the Egyptian Free Officers Movement, Syrian Ba`thists, and communists. Parliamentary life was suspended for a time and the opposition repressed. In 1956, a new election brought a majority of communists and nationalists to Parliament. Sulayman Nabulsi was a leading communist, and the king was forced to name him as the head of government. On the nationalist movement in Jordan during this period, see Anderson, *Nationalist Voices in Jordan*.

41 Tsimhoni, *Christian Communities in Jerusalem . . .*, 38–39.

42 *Proche-Orient chrétien*, 1960, 272–73.

43 According to the partition plan for Palestine voted by the UN in 1947, Jerusalem and Bethlehem were included in the area under international mandate. Hashemite sovereignty over this area was therefore not recognized by the international community. In addition, after the 1948 war, the Palestinian Christians, whether refugees or not, and the churches demanded the internationalization of Jerusalem, hoping to be able to recover their lost property in the Western part of the city, now under Israeli control. King Abdullah I, whose views on this point coincided with those of Israel, clearly stated that he did not intend to bend to the UN resolutions. On the politics of Jordan toward Jerusalem between 1948 and 1967, see Katz, *Hashemite Jerusalem*.

44 Tsimhoni, *Christian Communities in Jerusalem . . .*, 42.

intermediary, in particular the monarch, who was called upon to play the mediator, but who was not neutral: he took into account the country's diplomatic interests, which made him lean toward the Patriarchate; he also had to deal with the Orthodox notables, some of whom were well off financially and well represented within the institutions of the state. Finally, he had to recognize that the cause of the Arab laity had a certain nationalist dimension, and was supported by the political class and by the Muslim intelligentsia, whether monarchist or otherwise.

In the late 1950s, leaving the restricted context of parishes and consummating their break with the Patriarchate, the laity took in hand the organization of the Orthodox community at the national level, in particular through the Orthodox Society for Culture and Teaching (*jama`iyat ath-thaqafa wat-ta`lim al-urthuduksiyya*), founded in 1958 and gathering together notables of Palestinian and Transjordanian origin but without the participation of the clergy.<sup>45</sup> Its first president, Fu'ad Farraj, was himself a former minister, and the successive steering committees included personalities from business and politics who could mobilize capital and institutional support in an attempt to remedy the insufficiency of the Patriarchate in educational and social matters. The society soon opened an Orthodox secondary school in Amman, which became one of the capital's most sought-after institutions. It founded the Orthodox Club of Amman, which provided both top of the range sporting facilities and a place for families to undertake leisure and socializing activities. Finally, the Orthodox community's only two Transjordanian charitable works, a hospice for the elderly and an orphanage, operated under the society's auspices. In the parishes, the society supported the opening of a few primary schools and cultural societies independent of the church, but that sometimes co-operated with Arab priests, as a consequence of the latter's uncomfortable position, wedged between their ecclesiastic hierarchy and the laity.

In accord with Jordanian legislation, Orthodox societies, both local and national, were opened on a non-confessional basis, a principle never called into question in the following decades. This opening arose as much from necessity, in the absence of external financing, as from the manner in which the lay community has been envisioning its place in society as a whole: the Orthodox notables have insisted on the national and Arab character of their social activities, which should benefit all and contribute to the public good. If members of these societies' councils of administration are all Orthodox, a quota of Christians of other denominations and Muslims can become associate members with the possibility to express their point of view on internal management provided that they contribute to financing. The support accorded by Protestant churches to the finances of the Patriarchate has led to the creation of co-operative links between Orthodox institutions and the Young Men's Christian Association (YMCA) and its branch for women, the YWCA. Both are products of international Protestant organizations that had established a prestigious cultural and sports center in Jerusalem prior to 1948, a center which was frequented by the elite of all religions and organized on the basis of a non-proselytizing philosophy.

Within a certain number of organizations, confessional or not, networks intersected; the same individuals were members of the Alumni Association of the American University of Beirut—the main institution of higher education attended by the Orthodox elite in the Middle East until the 1970s—of various Orthodox clubs and societies, and of the YMCA/YWCA. Muslims and Christians, mainly Orthodox, mingled, all of whom were part of the same economic elite, and were brought together by their westernized way of life and their role as members of the state elite among whom were several active ministers. The various laws on the status and the management of societies were not only welcomed by the Orthodox community, but often inspired by its members who were part of the government; they shared the worries of the regime faced with the nationalist unrest of the 1950s, while the lay organizations of their community were not threatened by the

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45 Data gathered on the Orthodox societies comes from examination of their statutes and membership lists and from interviews in 1996–1998 with Kamel Abu Jaber, former minister; Ra'uf Abujaber, chairman of the Orthodox Society; Niqula Nuqqul, former chairman of the Orthodox Club; and Salwa Shwayhat, former chair of the YWCA.

clauses restraining external financing and could enjoy assistance from the Union of Voluntary Societies, and even direct grants voted by the government beginning in the 1960s.

The constitution, operation, and boundaries of an Orthodox communal sphere between 1921 and 1970 are symptomatic of a double relationship of autonomy and dependency: autonomy with respect to the ecclesiastical institutions and financial autonomy from foreign centers, but a double dependency in relation to the political authorities of the Hashemite state and to a Jordanian public sphere beyond the confessional community. Orthodox notables dominated the center of the communal sphere and also maintained close political and economic links with the regime and with the members of other religious communities of the same social class, a ranking acquired through economic power and service to the state. The Orthodox community and its institutions were therefore characterized by their open relationship with Jordanian society at large and by their involvement in areas which went beyond the simple charitable or educational domains. Their operation was an important factor in society and the object of public debate of a political nature. Within the clergy, a division was maintained between a hierarchy that was hardly involved in the social affairs of the community and parish priests. The latter were the objects of contradictory demands from the Patriarchate and local lay committees, and consequently most often preferred to limit themselves to the sole task of managing the sacred by running religious services.

### *The Catholic Church: Between the State and Transnationalism*

A very different set of power relations must be considered in order to understand the tensions between autonomy and dependency which came to shape the Roman Catholic (locally referred to as Latin) and Melkite (or Greek Catholic, that is in union with Rome) communal spaces in Jordan. On the one hand, the Catholic church worldwide seeks—albeit does not always manage to attain—both spiritual authority over its faithful and total independence from the civil authorities of the states in which they live.<sup>46</sup> On the other hand, the Vatican as a state is an international actor that plays a leading role with regard to the question of Jerusalem on the world diplomatic stage.<sup>47</sup> These are two factors Jordanian authorities have had to take into account in their treatment of local Catholic churches: they have had no oversight with respect to the churches' internal organization nor have they been able to subordinate communal social activities to legislation as much as they would have liked.

The Catholic churches, which were never granted a legal status as religious communities (*millet-s*) under the Ottomans, continued to enjoy greater autonomy than the Orthodox church under the Hashemite regime. The Jordanian parliament does not legislate over the internal organization of the communities or over the relationships between clergy and laity. The nomination of the Latin Patriarch of Jerusalem, an exclusive privilege of the pope, does not need to be ratified by the Jordanian sovereign, any more than that of his Patriarchal vicar in Amman. The same goes for the Greek Catholic (or Melkite) church. The Melkite diocese of Transjordan, founded in 1932 with an Arab bishop residing in Amman at its head, depends on Antioch. The Patriarch, who is either Syrian or Lebanese, resides in Damascus, outside the domain of Jordanian sovereignty.<sup>48</sup> In the 1930s, the

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46 Emile Poulat, *L'Eglise, c'est un monde* (Paris: Le Cerf, 1986), 260.

47 See J. Bryan Hehir, "The Catholic Church and the Middle East, Policy and Diplomacy," in *The Vatican, Islam, and the Middle East*, ed. Kail C. Ellis (Syracuse: Syracuse University Press, 1987), 109–24; Fred J. Khouri, "The Jerusalem Question and the Vatican," in *Ellis, The Vatican, Islam, and the Middle East*, 143–62; and Andrej Kreutz, *Vatican Policy on the Palestinian–Israeli Conflict* (New York: Greenwood, 1990).

48 In the 1920s, Rome hesitated at first over the relevance of continuing to maintain the Latin Patriarchate of Jerusalem, established in 1847, which the United Eastern churches denounced as an agent of Latinization. Finally, the importance of maintaining a Latin presence in the Holy Land prevailed. The Melkite church was the only one whose entire clergy was Arab. See Hanna Kildani, *Modern Christianity in the Holy Land* (Bloomington: AuthorHouse, 2010), 642–83.

type of arrangements developed with the Jordanian state suited the Catholic church, which had no intention to submit to a civil power, but at the same time hoped to play a role that went beyond the religious into the social domain. It was precisely over the latter that its influence was waning in European countries, where two opposing ideologies, liberalism and socialism, nevertheless came together on the common theme of secularization.<sup>49</sup> The Hashemite regime, for its part, did not attempt to remove religious influence over any large part of public life, and even less to propose social atheism. A situation that could have been so idyllic, however, was not without its troubles. As a transnational actor, the Catholic church is a system in competition with other agencies that produce religious values or with autonomous power centers, states, or transnational political movements.<sup>50</sup> Having a center outside the national Jordanian territory, it decrees norms and seeks to apply decisions which are sometimes in contradiction with Hashemite state interests, in particular in the fields of social action and education.

The Latin charitable and educational network in Jordan increased, especially after 1948, with the annexation of the West Bank. The Latin Patriarchate also undertook huge building operations in the capital, where a sizeable number of Christians from what became the state of Israel, but also from the West Bank settled.<sup>51</sup> The two Catholic churches are under the responsibility of the Roman Congregation for the Eastern churches, whose purpose is both to promote Uniatism among Christians separated from Rome and to ensure financial support for the United Eastern churches. The Catholics of Jordan have enjoyed disproportionate financial means when compared with the members of the other churches. Although all Catholic rites represent less than half of all the Christians of the Kingdom, the scale of their operations suggests a budget several times greater than that of the Orthodox, who are as numerous. Five main organizations devoted to assisting the Eastern churches<sup>52</sup> and a multitude of European or American operations of secondary importance are concerned with the building and maintenance of churches and schools, hospitals and dispensaries, and with land purchases, etc. Owing to other sources of revenue, a large number of secular religious congregations also maintain their own hospitals or schools in the Holy Land, mainly in Jerusalem and Bethlehem. In 1963, for example, the Catholic institutions, which all depend on the Patriarchate to varying degrees, ran six hospitals and maternity clinics, some thirty dispensaries, three retirement homes, a dozen orphanages, primary schools in all parishes, and several secondary schools in Amman.<sup>53</sup> To this should be added activities with refugees carried out by the Pontifical Mission for Palestine. This mission, whose foundation in 1949 by Pope Pius XII bears witness to the interest of the Vatican in both the Christians of the Holy Land and in refugees in general, gave itself the mission of distributing food and clothing in some thirty centers and

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49 Poulat, *L'Eglise, c'est un monde*, 247.

50 Ivan Vallier, "The Roman Catholic Church: A Transnational Actor," in *Transnational Relations and World Politics*, ed. Robert O. Keohane and Joseph S. Nye (Cambridge: Harvard University Press, 1981), 129–52.

51 A list of works undertaken by the Latin Patriarchate and its projects for the following years is provided by *Proche-Orient Chrétien*, 1951, 119–24. In addition to refugees, many Christians emigrated voluntarily to Amman between 1948 and 1967. In fact, after 1950, the Hashemite authorities abolished all the independent Palestinian institutions and all administrative boundaries between the two banks of the Jordan and encouraged the movement of individuals and capital to the less developed East Bank. See Ilan Pappé, "Jordan Between Hashemite and Palestinian Identity," in *Jordan in the Middle East. The Making of a Pivotal State, 1948–1988*, ed. Joseph Nevo and Ilan Pappé (London: Frank Cass, 1994), 63. For this reason, the Christian population of the capital grew roughly from 5,000 in 1948 (Statistical Bulletin of the UNRWA, May 1950–June 1951, 24–33) to 40,000 at the end of the 1960s. See Betts, *Christians in the Arab East . . .*, 69.

52 These organizations are: the Oeuvre d'Orient in Paris, the Catholic Union in the German-speaking countries, the Apostolaat der Hereniging in Holland, the Catholic Near East Welfare Association (CNEWA) in the United States, and the Associazione cattolica italiana per l'Oriente cristiano in Rome, whose actions are co-ordinated by the Congregation for the Eastern churches.

53 Pierre Médebielle, *The Diocese of the Latin Patriarchate of Jerusalem* (Jerusalem: Latin Patriarchate, 1963), 73–74.

opened several schools in Transjordan, using existing Catholic institutions.<sup>54</sup> When a new wave of displaced Palestinians left the West Bank to take refuge on the East Bank as a result of the 1967 war with Israel, Caritas International, a Catholic organization of Swiss origin, registered in Jordan. With financial support from its European branches, the organization opened dispensaries to provide emergency aid to the displaced in collaboration with local Catholic charitable societies and the Ministry of Social Affairs.<sup>55</sup> These Catholic organizations, none of which had a mandate to undertake missionary activities, gave priority to Christian refugees of all denominations in offering their services. Through the activation of networks of communal solidarity, they provided refugees with shelter in parish premises, schools, and monasteries, before finding housing outside the camps managed by United Nations Relief and Works Agency for Palestine Refugees (UNRWA). Christians in Jordan generally hold the view that these initiatives allowed the vast majority of Palestinian Christians to settle quickly outside refugee camps.

Without questioning the social vocation of the Catholic church, the independent Jordanian state attempted to exercise a certain control over its non strictly religious activities, with the dual aim of remedying its own shortcomings in the health and social sectors, and ensuring that its social control extended to pupils at confessional schools. This was the direction taken by the various laws promulgated in the 1950s, which provoked sharp criticism from Latin ecclesiastics because they affected the integrity of the communal sphere over which they sought exclusive control. While a Ministry of Health was created in 1951 and the state developed a public health network, it sought to legitimately supervise the actions of the various actors in this field in order that the population as a whole could benefit from a health coverage it was incapable of supplying alone.<sup>56</sup> According to senior members of the Catholic clergy interviewed in the late 1990s, the Catholic churches had neither the intention to grant the state the right to monitor the finances of its charitable works, nor to be dictated to whom they should provide their services. That is why, in order to preserve their independence, most Catholic charitable institutions withdrew from the Union of Voluntary Societies at the end of the 1950s and no longer registered with the Ministry of Social Affairs. They continued to operate, however, under the umbrella of the Latin Patriarchate. At least officially, relations between the clergy and the civil authorities remained cordial. Catholic priests were received in the royal palace with the rank of ministers, Jordanian officials of all confessions (mayors, deputies, governors, ministers, members of the Royal family, and Muslim religious dignitaries) honored the opening ceremonies for Catholic institutions and the end of year festivities at Catholic schools with their presence,<sup>57</sup> the Latin Patriarchate decorated them regularly with medals rewarding their “remarkable merits in the social domain (. . .) and the sympathetic benevolence which they have always shown to Christians.”<sup>58</sup>

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54 *Jérusalem, le Bulletin diocésain*, September 1950, 189; August 1952, 167. In 1950, the Pontifical Mission federated all the Catholic organizations (French, Belgian, Swiss, and American) who had provided aid to the refugees. It continued offering assistance with funds mainly from the Catholic Near East Welfare Association. On these activities, see George E. Irani, “The Holy See and the Israeli-Palestinian Conflict,” in Ellis, *The Vatican, Islam, and the Middle East*, 133–34.

55 Interview with Father Mousa Adeli, former director of Caritas Jordan (Amman 1997). Few Christians moved to the East Bank in 1967, apart from notables whose political or economic interests tied them to Amman. The displaced were mainly Muslim refugees from 1948 who had been living since then in camps on the West Bank and, to a lesser extent, refugees from the Gaza Strip.

56 Brigitte Curmi, “Jordanie. Les médecins militaires, précurseurs de la modernité scientifique,” *Maghreb-Machrek* 146 (1994), 48–58; and “Les associations de bienfaisance à Amman: le Jebel Achrafiyeh,” in *Amman, ville et société*, ed. Jean Hannover and Seteney Shami (Beirut: CERMO, 1996), 359–71.

57 The Minister of Religious Affairs and the mufti, the highest official Muslim authority in the Kingdom, in accord with the regime’s policy, have always insisted on freedom of religion and maintained respectful relations with the representatives of the Christian communities.

58 *Jérusalem, le Moniteur diocésain*, March 1951, 68, speech given on the occasion of the award of the Silver

This apparently paradoxical situation was made possible by the fact that the Jordanian regime could not alienate the Latin ecclesiastical hierarchy. It was imperative that its treatment of local Christians and their institutions should be in accord with the discourse of protection legitimating its claims over Jerusalem<sup>59</sup>. The Catholic prelates thus served as relays in the unofficial diplomacy between the monarchy and the Vatican. Jordan in fact recognized the role of the Vatican as a transnational actor whose action is felt in many states thanks to its hierarchical body of personnel, its philosophy of unified action, and its sophisticated system of communications between the center and the bases. Although Jordan and the Vatican did not maintain official diplomatic relations until 1994,<sup>60</sup> no other Arab country had such intense contacts with Rome.<sup>61</sup> At the highest level, these were manifested by private visits to the pope by successive monarchs, with mutual assurances of goodwill, and culminated in the official reception given to Paul VI during his historic pilgrimage to the Holy Land in 1964.<sup>62</sup> An apostolic delegate, with the function of representing the Holy See to Catholic communities, was appointed to Jerusalem in 1948 and continued to maintain contacts with the Jordanian authorities after 1967 thanks to his secretary, who resided in Amman. Additionally, the Jordanian Embassy in Rome included in its staff a Jordanian Latin layman as “*chargé d'affaires catholiques*.”<sup>63</sup> Also, while the Vatican has never recognized the claims of Jordan to Jerusalem, it did not actively oppose its political and administrative control over the city.<sup>64</sup>

A point of friction remained between the Jordanian state and the Catholic institutions with regard to the freedom of the latter to acquire real estate without restriction. In the 1950s, the government suspected the Vatican of wishing to increase its ownership of property in Jerusalem as a means of fostering the internationalization of the city. The law of 1953 on the disposal of real estate by moral persons authorized the government to exercise a right of oversight on purchases made by the churches. While the state was attempting to ensure its control over society and its institutions, in particular through legislation, the Latin church asserted its own views regarding its rightful statutory independence in relation to the civil authorities. It thus recalled its official position in an article on “The relations between the church and the state” appearing in *Jérusalem, le bulletin diocésain*, a journal published in Arabic and French by the Latin Patriarchate and distributed to local Catholic institutions that escaped state control over the press and publications. In substance, the article stated that the civil government could neither establish nor limit the rights of the church or its authority over its interests and that the church may therefore acquire and administer temporal

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Cross of Merit of the Holy Sepulchre to the Governor of Amman and the Director of the General Safety. The chronicle of the Order of the Holy Sepulchre for this period regularly records mutual congratulations between high officials and Catholic clergy.

59 In one of his speeches, King Hussein described the Hashemite dynasty as protector of the Christian Holy Sites in the tradition of the Caliph Omar and assured the Pope of his determination to accord complete liberty to the Christians in matters of religion. See *Jérusalem, le Moniteur diocésain*, January/February 1964, 107–8.

60 The Vatican does not maintain diplomatic relations with states whose boundaries are not defined or recognized by treaties. Diplomatic relations were established between Jordan and the Vatican after the peace treaty of 1994 which resolved the border disputes between Israel and Jordan.

61 Ryan, “The Holy See and Jordan,” 181–82.

62 On the visits of Kings Talal and Hussein to Rome, see *Jérusalem, le Moniteur diocésain*, February 1952, 60; and November 1953, 265. During King Hussein’s visit to Paul VI in May 1964, the pope addressed the monarch in the following terms: “Your Majesty may be assured that the Catholics of Jordan will loyally do everything they can to support the country’s progress, in particular by continuing their activities in education and social work, at the same time hoping to preserve their civil rights and Your Majesty’s favour . . . (*Proche-Orient chrétien*, 1964, 243). On papal pilgrimages to Jordan, see Kimberly Katz, “Legitimizing Jordan as the Holy Land: Papal Pilgrimages—1964, 2000,” *Comparative Studies of South Asia, Africa and the Middle East* 23 (2003): 3–11.

63 Ryan, “The Holy See and Jordan,” 179.

64 Khouri, “The Jerusalem Question and the Vatican,” 147, 149.

goods without any dependence on the civil authority.<sup>65</sup> In fact, the Latin church has generally managed to sidestep the law by waiting for a member of its community to reach a position of responsibility within the Ministry of the Interior or the Ministry of Finance before concluding its real estate transactions. It then obtained an order of registration directly at the land registry.<sup>66</sup>

The Catholic church makes use of all the resources of associative life to satisfy the social vocation it recognizes for itself, to play a role and exercise an influence far beyond the practice of worship, strongly differing in this from the Orthodox ecclesiastical tradition. Another major difference concerns the status of the Catholic clergy and the fact that all communal activities are organized under its exclusive direction. While lay people are associated with these, they do not enjoy decision-making power, in large part because they do not control access to finances. While a few voices were raised in the 1920s and again at the end of the 1950s, two periods when Arab nationalism was at the forefront of the political stage, with the aim to Arabize the highest positions in the Latin patriarchal hierarchy (directed first of all at the Italian Patriarchs), no significant coordinated effort was made to bring this claim to the Patriarchate or the Jordanian government.<sup>67</sup> Also, the Vatican's position was easy to defend toward the community and the political authorities: the representative of the Catholic church in the Holy Land needed to remain neutral and supranational, since the diocese was divided between antagonistic states and entities.<sup>68</sup> Finally, unlike the situation in the Orthodox church, the laity benefited significantly from the social services offered by the church and therefore had little or no interest in alienating the hierarchy or in wishing to replace it.

It was therefore in conditions of relative autonomy from the state and of complete dependence on ecclesiastical structures that the Latin communal sphere was shaped until the 1970s. The clergy remained at the center of the social and educational apparatus, mobilized resources, determined priorities, and controlled access to services. There was only a very small need to rely on lay elites to ensure the smooth operation of communal structures and it was preferable to appeal, through the hierarchy or through Vatican diplomacy, to the monarch or to those close to him when it appeared that the civil authority might hinder the church's liberty of action. Responses from the regime were then also conditioned by its foreign policy and diplomatic options. The community of faithful played a passive role and developed a subordinate attitude, content to frequent communal institutions and to expect preferential treatment from them. The church would have liked all the social and educational needs of the Catholics to be satisfied by communal institutions. Church authorities also wished to exert more exclusive control over the communal sphere than was the case in reality. But educational institutions and social work were subject to an imperative of viability in terms of staff and financial management: the limited demographic size of the Catholic community made it necessary to open these structures to the other confessions while preserving quotas. At the same time, the church had to respond to the pressing demands of the government, which could not make unilateral concessions on points relating to its national sovereignty: confessional schools, in particular, were compelled to teach the official curricula developed by the Ministry of Education from the 1960s onward.<sup>69</sup> Finally, the church could not give exclusive

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65 *Jérusalem, le Moniteur diocésain*, January 1957, 6–9.

66 This information were provided to me in 1998 by one such former high level official at the Ministry of Finance who required anonymity.

67 Pierre Médebielle, *Madaba et son histoire chrétienne* (Jérusalem: Patriarcat latin, 1987), 377–78, 383.

68 *Comprendre* (journal of the White Fathers, Rome), January 14, 1971, 6–7. The diocese of the Latin Patriarchate, like that of the Orthodox Patriarchate, covers Israel, Jordan, and the Palestinian territories (the West Bank and the Gaza strip). Unlike the Orthodox Patriarchate, it also includes Cyprus.

69 In spite of this, Father Pierre Médebielle, in his capacity as the official historian of the Latin Patriarchate, still maintained that “The Jordanian school system is one of the most liberal of the Near East” (*The Diocese of the Latin Patriarchate of Jerusalem*, 72).



preference to members of its community without segregating—and possibly alienating—they from the Muslim majority society. In order for its presence and actions to enjoy wide support, the Catholic communal sphere had to be open to other confessions and accommodate the state's interventionism.

### *Communal Spheres within Broader Regional and National Patterns*

In practice, the Constitution and the legislation of the Emirate guaranteed Christian religious communities a statutory autonomy in the management of their internal affairs, in the organization of educational systems, in the creation of networks of social and charitable activities, and in their jurisdiction over the personal status of their members. This autonomy was granted to the religious communities collectively, and not to Christian citizens individually, directly following the Ottoman tanzimat system. The principle of the autonomy of the sphere of communal affairs in relation to the public domain remained in place after the independence of Jordan in 1946, but the boundaries of this sphere were re-drawn through often conflictual negotiation, among the different entities concerned, which interfered and sometimes competed with each other (the churches, their respective communities, and the state). The latter, in particular, free from the oversight of the mandatory power, constructed its own sphere of action with encroachments on communal prerogatives. On the other hand, the Hashemite regime sought political support from the social and religious forces of the country, together with financial aid from organizations with an international reach.

In time, a complex system of inter-dependency developed between the Hashemite state and Christian communities, the former seeking both the support of the latter and the assurance of a certain degree of control, while the churches were forced to function within the framework of the state. This system took different forms for the various churches depending on their status within the state as well as the relations they maintained with their lay communities, together with their respective financial capacity, transnational scopes, and diplomatic weight. It therefore evolved in response to the national, regional, or international economic or political contexts of the moment. The state sought to use church social services to remedy its own shortcomings. It tried to make use of the confessional educational institutions to relay a discourse of legitimation. It also strived to win over the ecclesiastical diplomatic forces on the question of Jerusalem, when Muslim and Christian Holy Places had come under Hashemite rule as a result of the 1948 conflict that followed the creation of the state of Israel. The churches and their communities, however, had interests of their own to promote which at times ran counter to the goals set by the monarchy. The construction of Christian communal spheres in Jordan, especially variations in their boundaries, was strongly dependent on the relations between the state and the main churches at the national and international levels. The aspirations of the Catholic church, a transnational power, to function locally as a total social institution, coupled with the state's desire to extend its hegemony over society, brought the authorities involved to regularly renegotiate the boundaries between the communal and the public spheres. The same holds true for the Orthodox church, which depended on other centers of power and held fewer resources than the Catholics, and had a different tradition of relations with the Ottoman civil authorities.

In all the Arab countries of the Near East, independent states built their own spaces aiming at affirming their sovereignty over societies and leading to the redefinition of the spheres previously granted to Christian communities. After World War II, the Parliamentary regimes of Egypt, Syria, and Iraq were swept away by military coups which installed authoritarian regimes or dictatorships. Foreign schools and/or the possessions of the churches were nationalized and the educational privileges of Christian communities were generally called into question or simply removed as in

Ba'thist Syria and Iraq.<sup>70</sup> In Egypt too, the institution of positive law impacted on the prerogatives of the churches in relation to their jurisdiction over personal status.<sup>71</sup> The Christian communities present in Jordan had these before them as examples. In many ways, the Hashemite monarchy, thanks to its stability and the religious dimension of its authority, allowed them an enviable freedom of action, even though communal spheres were the object of negotiation and the civil authority attempted at times to reduce their autonomy. The churches therefore had a certain interest in seeing the Jordanian regime consolidate and last, especially since the forces of political opposition contesting it during the 1950s and 1960s appealed to the ideologies in power in the neighboring states. The above factors may explain why both the Christian religious hierarchies and the Orthodox notables responded, more or less willingly, to the calls by the government to allow relevant community institutions to complement public service.

Furthermore, churches were by no means the only social actors solicited to shoulder efforts of social development. UNRWRA or the Muslim Brotherhood were also requested to serve specific constituencies in the fields of education, health, and other social services.<sup>72</sup> In this regard, the major Christian churches in Jordan can be said to have been an integral part of the “rentier” social contract in Jordan, analyzed by Laurie Brand<sup>73</sup> as one in which the Hashemite regime has made the allocation of resources through state institutions one of its principal legitimating factors. In such a context, certain organized groups have benefited from extensive autonomy in the mobilization of external resources to complement state efforts. In addition to partly substituting the state in providing social services, Christian institutions also served to transmit to a specific constituency the discourse of the regime against the forces of political opposition, a role that has been illustrated elsewhere with a focus on education and sermons.<sup>74</sup> These institutions furthermore contributed to maintaining religious boundaries between Muslims and Christians, the preservation of which was necessary to the state, as the Christian element of its population allowed it to benefit from a channel of access to diplomatic and economic resources located beyond national frontiers. It was therefore not the principle of the existence of relatively autonomous communal spheres that was called into question by the state or by the communities themselves, but the content of these spheres, their missions with regard to members of the communities, and the function of their boundaries—either separating communities from or connecting them with the rest of the society.

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70 See Betts, *Christians in the Arab East*.

71 Bernard Botiveau, “The Law of the Nation-State and the Status of Non-Muslims in Egypt and Syria,” in *Christian Communities in the Arab Middle East. The Challenge of the Future*, ed. Andrea Pacini (Oxford: Oxford University Press, 1998), 111–26.

72 See Avi Plascov, *The Palestinian Refugees in Jordan, 1948–1957* (London: Frank Cass, 1981), 44; and Boulby, *The Muslim Brotherhood . . .*

73 Laurie Brand, “Economic and Political Liberalization in a Rentier Economy: The Case of the Hashemite Kingdom of Jordan,” in *Privatization and Liberalization in the Middle East*, ed. Illiya Harik and Denis J. Sullivan (Bloomington: Indiana University Press, 1992), 167–88.

74 Chatelard, *Briser la mosaïque*, chap. 5.