

The Political Outrage Made by Jordan (IAF) Party' Fatwa on Jordan Military Deployment under the US-led International Coalition in Afghanistan

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Abstract

An Islamic legal judgment (Fatwa) was released by the Central Committee of Islamic Shari'a Scholars at the Islamic Action Front Party (IAFP)-political arm of Muslim Brotherhood organization in Jordan- Sunday 12th December 2010, in Amman banning "military deployment of Arab and Islamic countries in support of the International Coalition Forces led by the United States in Afghanistan". The Fatwa was made by the party after only few days of a cable posted on Wiki leaks site describing Jordan's military support in Afghanistan. The Fatwa incited furious reactions from both government and non-government officials on the basis that the Fatwa alludes to the Jordan Armed Forces and its leaders. This paper seeks to document the Fatwa, the reactions invoked by it and the clarifications made by the Party's leaders about the Fatwa, for what it was made and its significance, adopting the historical epistemology perspective to characterize and analyze this Fatwa.

Keywords: Fatwa, Jordan, IAFP, Afghanistan, JAF, Wiki leaks.

1.0 Introduction

An Islamic legal judgment (Fatwa) was released in Amman, Sunday 12th December 2010, by the "Central Committee of Islamic Shari'a Scholars" of the Islamic Action Front Party (IAFP) prohibiting "engagement of military troops of Islamic and Arab countries alongside the US-led International coalition forces in Afghanistan".¹

The Fatwa was made by the party after only few days of a cable posted on Wiki leaks site describing Jordan's military support in Afghanistan. The Fatwa incited furious reactions from both government and non-government officials on the basis that the Fatwa alludes to the Jordan Armed Forces and its leaders.

The IAFP was established in 1992 as the political arm of the Muslim Brotherhood organization in Jordan. The IAFP is the largest, most popular, most organized, most influential and best financed political party in the country. The Islamic Action Front party has made a plethora of demands in its lifetime, but its central platform focuses on restoring an Islamic way of life and implementing Shari'a law in Jordan, and preparing the nation to fight against its enemies, the Zionists and colonialists, as well as serve the Palestinian cause within its Arab and Islamic framework.²

This study investigates a certain political event of Jordan's contemporary history that holds meaningfulness for scholars interested in Jordan's political history, particularly relation of Muslim Brotherhood with the State of Jordan and its government. The present study, on the other hand, documents the vehement reactions by both Jordanian officials and politicians when it comes to criticize the Jordanian Armed Forces (JAF) and its leaders even if such criticism was sheathed in a religious decree 'Fatwa'.

The paper also seeks to document the Fatwa, and the clarifications made by the Party's leaders about the Fatwa, for what it was made and its significance, adopting the history's epistemology perspective to characterize and analyze this Fatwa.

1.1 The text of the fatwa

The Fatwa stated literally that "any Muslim official is prohibited from dispatching military troops to fight alongside US-led coalition forces in Afghanistan or elsewhere; and an obey by a Muslim of an order that disobeys order of Allah (God) shall be forbidden since Prophet Muhammad says: 'Obedience and conformance is required from a Muslim unless ordered a wrongdoing, then no obedience'.³

The Fatwa explained that "participation of Muslim military troops alongside the US-led coalition forces in their war in Afghanistan and elsewhere represent patronizing non-Muslims in their aggression on the Muslims which is oppression which is prohibited for the Qur'an says: ""Allah only forbids you from those who fight you because of religion and expel you from your homes and aid in your expulsion - [forbids] that you make allies of

¹ Fatwa (concerning Military Deployment in assistance of coalition forces in Afghanistan), Islamic Action Front Party's Archive, General Secretariat, Abdali, Amman, 2010-Postal Code 111. See also IAF Party's website <http://www.jabha.net> / and Assabeel Daily Newspaper, Amman, December 12, 2010.

² Hussainy, Mohammed, [map of the political parties and movements in Jordan], (2013/2014) P. 41, <http://www.identity-center.org/>.

³ 'Islamic Action Front Party's Archive'

them, and whoever makes allies of them are the wrongdoers""¹. In this context, the Fatwa considered that "those patronizing enemies of Allah are oppressors of Muslims by attacking them, and self-oppressors by risking fatal fate in both (al'duniah) this world and (al'akhirah) the next world or the live after death, while exposing it to Allah's curses and revenge sooner or later; and indeed falsify the combat between patrons of Allah versus those of Satan"².

The Fatwa also viewed the judgment by Allah in those "who patronize the Americans and the coalition countries in combating Muslims is that they externalize themselves out of Islam". The Fatwa also elaborately stated that "Afghanistan is an Islamic country has long been governed by the Islamic law (Shari'a), and continued resisting occupation and the last occupation afflicted the country was under the USA leadership, whose president declared it a crusade war".

This fatal war, the Fatwa stated, "Resulted in tens of thousands of children, women and men killed, and this country (Afghanistan) still exposed to mass combat using destroying weapons". Taking this in mind, the Fatwa considered that "the duty imposes that Muslim rulers should dispatch their armies to fight alongside the Afghani Mujahedeen due to inequality between the coalition forces and the Afghani people, and are prohibited to forsake their brothers in Afghanistan or in other Islamic countries or desert them"³. The Fatwa concluded that "after all, and against this unfair oppression and aggression, combating America and the coalition forces become an imposition on Afghanistan people, and those neighboring them until clearing up their country for the Qur'an says: "Fight in the way of Allah those who fight you but do not transgress. Indeed, Allah does not like transgressors"⁴.

The Fatwa-first of its kind in Jordan-was issued after days from an American document that was posted by Wiki leaks site and reposted on Aljazeera Net site about Jordan's military contributions in Afghanistan alongside US-led International Coalition.

1.2 First Cable Document

Wiki leaks revealed internal communications by the American Embassy-Amman reporting that Jordan deployed military forces in Afghanistan.

In a cable sent by the American Ambassador in Amman Robert Beecroft dated January 07, 2010 outlined that Jordan contributed with ground and special operations forces in Afghanistan, and these forces were engaged in combat and security operation alongside with the international coalition forces"⁵. Additionally, the cable reported that Jordan deployed in July 3, 2009 a 720 person infantry battalion to Logar Province, Afghanistan, for an expected six month deployment that "conducted security operations with U.S. Task Force Spartan, originally deployed to support elections in the province and now conducts routine security operations", and indicated to deployment of two task force units by Jordanian Special Operations in May 2009 near Qalat (capital of Zabul Province), Afghanistan, and second redeployment by October 1, 2009 for an expected of 6 months deployment, establishing consistent presence of Jordanian Special Operations Forces in Afghanistan.⁶

The document indicated to Jordan's contributions in Afghanistan including the military field hospital in Qalat that, based on the document, has treated over 750000 patients since 2003, and Jordan was one of the first countries to send demining teams to Afghanistan. In addition, Jordan trained a 50-man cadre of the Afghanistan Army Counter Terrorism force.⁷

1.3 Second Cable Document

A second cable by the Ambassador Beecroft on January 22, 2010 documents a meeting between Jordanian civil and military officials and the American officials to discuss Jordan's offer of training Afghan clerics and religious leaders to counter 'extremist ideologies' at the Jordanian Al Albayt University. The Jordanian officials also offered training Afghani police whether at the Jordan International Police Training Center (JIPTC) or sending Jordanian training team to Afghanistan in return for ensuring more "economic assistance" by US government to Jordan.⁸

The document reports details of a meeting on January 12, 2010 between UAE Foreign Minister Abdullah bin Zayed with the American envoy to Afghanistan and Pakistan Richard Holbrook. The document indicated the UAE Minister-over a regional meeting on Afghanistan in Abu Dhabi-told Holbrook that Naser Jodeh, Jordan's Foreign Minister, communicated Jordanian plans to send more troops to Afghanistan. The document indicated that Holbrook told that Jodeh confirmed the same thing to him over a meeting in Washington with no date

¹ Qur'an, [60:9].

² 'Islamic Action Front Party's Archive'

³ Ibid.

⁴ Qur'an[2:190]

⁵ Arabic Wiki Leaks site: <http://wikileaks-a.blogspot.com/> and Aljazeera Net site: <http://www.aljazeera.net/portal#>

⁶ Ibid.

⁷ Ibid.

⁸ 'Arabic Wiki Leaks site'

indicated.¹

Based on the UN Security Council resolution no. 1386 adopted on December 20th 2001, and with consent of the Islamic Afghani government elected democratically, the NATO-led International Security Assistance Force (ISAF) has been created to enable the Afghan authorities to provide effective security across the country and ensure that the country can never again be a safe haven for terrorists.² In accordance to the UNSC resolution, ISAF was formed from NATO forces under the US leadership with contributions from other willing countries, and has been conducting security operations, while also training and developing the Afghan National Security Forces to enable the Afghani government enforce security across the country.³

Jordan foreign policy is governed by a number of determinants that could hardly be passed, most importantly the pursuit for achieving national economical and political interests. This mandates a sort of foreign policy that accommodates the regional and international orders, while screening alternatives, and narrowing the maneuvering margin for the opposition.⁴

The religious legal judgment 'Fatwa' made by the committee headed by the outstanding Brotherhood leader Mohammad Abu Faris was targeting Jordan Armed Forces and its leadership, since the Fatwa was a direct response to the leaked cable posted on Wiki Leaks site.

The Fatwa that stirred a wave of furious reactions by Jordanian government and non-government officials was considered as abusive to the Jordan Armed Forces (JAF) and its leadership, where the Jordanian authorities, in turn, insured the humanitarian role of its troops in Afghanistan. A stream of angry reactions criticizing the Fatwa and the party flowed out in form of furious statements by the government, House of Representatives, Public Iftaa Department, Veterans Institution, political and media communities. The IAF Party, in turn, tried to sponge up the anger of the government officials through a statement by the Party's Executive Office to clarify their position followed by press statements by senior leaders undervalue the Fatwa or its import.

2.0 Response to the Fatwa

2.1 Government Response

The Jordanian government's response to the Fatwa was angrily. The official news agency 'Petra' transmitted on 23 December 2010 an official statement by Deputy Prime Minister, State Minister and government spokesman Aymam Safadi stressed that "Jordan cherishes the role assumed by the armed forces and other security apparatuses in giving assistance to brothers and stand to their side either in Gaza, Afghanistan, or elsewhere in the Islamic or Arab World".

The statement rejected the IAFP's "abuses to the significant part undertaken by the Jordan Armed Forces in giving hand to brother Afghani People, keeping security and stability of the country, and providing medical and humanitarian services", "Jordan will do everything possible to protect Jordan and the Jordanian people from threats coming from everywhere targeting their stability and security" Safadi emphasized and added in the statement that "Jordan is proud with the significant role, contributions by the Armed Forces to security and peacekeeping through efficient and active participation to the UN peace corps in many parts of the world".

Based on the statement, Safadi confirmed "the government condemnation and refuse IAF party's abuses, and explained "supporting brothers against challenges they face is a duty Jordan fulfills in accordance to its national humanitarian mission and principles with proud, clarity and transparency, and no one can belittle it via irresponsible statements or position that try to distort the noble role of the guards of country's security, stability, and achievements and hurt Jordan's principles and historical record in defending against the Islamic Arab issues".⁵

2.2 Media community criticizing

In this context, journal essays published by daily newspapers, and Jordanian electronic news sites criticized the Islamist Fatwa. The widely read Al-Rai state-owned newspaper developed its editorial essay on December 14, 2010 to respond against the Fatwa. Questioning: What does the IAFP Want? The newspaper written: "Again the IAF party goes far beyond in the abuses regarding the significant role assumed by our Armed Forces in helping the brother Afghani people. This, of course, motivates a question about the real objectives the party is trying to accomplish via such allegations".⁶

Al-Rai Newspaper also explained "JAF move to Afghanistan and Gaza only to fulfill the religious, moral and humanitarian duties in sustaining security, and stability across that friend or brother country to provision

¹ Ibid.

² NATO website on: http://www.nato.int/cps/en/natolive/topics_8189.htm

³ Ibid.

⁴ Gharaibeh, Ibrahim, (1997), Muslim Brotherhood in Jordan (1946-1996), Sinbad Publishers, Amman-Jordan, P.156.

⁵ Jordan's official news agency "Petra" http://www.petra.gov.jo/Public/Main_arabic.aspx?lang=1&site_id=2

⁶ Al-Rai, Jordan Daily Newspaper, issued in Amman-Tuesday 14/12/2010, p.20.

medical and humanitarian services for all Afghani people".¹

In the editorial essay, Al-Rai Newspaper elaborately mentioned "we hoped the IAF Party will remain in line with majority of the Jordanian people with its various levels and communities and stand in support of the Armed Forces that provision assistance and help to brothers and friends; and to take side of the national army that exert every effort and employ its potentials to defend against the issues of the Islamic and Arabic nations, and takes initiation to help and give assistance to them. Also, we were disappointed with the Party's statement that abuses everything good and noble in this country, but Jordan, the people and leadership, clings with its mission and principles and will never withstand from fulfilling the call of duty towards the Muslims and Arabs."²

Similarly, in the same newspaper, Sami Zubaidi, renowned Jordanian columnist, written an essay titled: "Wordy Political Fatwa" to criticize exploitation of Fatwa as a weapon in face of political opponents, he views it as hurting the dogma as it hurts the politics in that no one will be able to recognize the blurred area between spiritual and secular issues.

"However it is a political maze entrapped in both the Arab authority and opposition, it is also a cultural dilemma since they to date still retrieve from the religious classics evidence to support a purely political opinion" write Zubaidi.³

Zubaidi criticized religious parties saying "setting up parties on religious bases misuses the religion itself. He emphasized that "Fatwa is not a political weapon against political rivals, and Fatwa-givers should not be politicized, since Fatwa in this context becomes a political tool employed to support a political opinion and defeat another which is unacceptable for a believer or good citizen".⁴

Fahd Al-Khitani, another renowned Jordanian columnist considered in his journal essay about military participation in Afghanistan published by Al- Arab Alyum independent newspaper that "employing (Fatwa) in controversy political issues is not a good democratic basis, since discussion and disagreement is a legal right and shall remain only in the political arena".⁵

In his essay "Ikhwan's Terrorist Fatwa", the academician Hani Shboul wrote an essay on December 15, 2010 and published by celebrated Jordanian electronic news sites such as 'zadJordan News', and 'almadina News Agency' in which accused Muslim Brotherhood (in Jordan) and its political wing Islamic Action Front (IAF) Party with coining a Fatwa prejudicing the highest national interests.⁶

Through Fatwa, said Shboul in his essay "Muslim Brothers and its IAF Party employ the Islamic religion to serve their political objectives with deliberate mix between religious and secular issues, and between what is constant and variable, through Fatwa they seize the right of independent thinking of the state and citizens and preclude make decisions and attitudes, through Fatwa they accuse opponents that they derailed the 'creed' and disobeying Allah and the Prophet orders, through Fatwa the Organization recruits partisans and the Party achieves popularity".⁷

2.3 Counter Fatwa:

The General Iftaa Department, a government department (responsible for issuing religious decrees 'Fatwas'), responded to the IAFP's Fatwa on December 16, 2010 with a counter-Fatwa in form of a legal statement transmitted by official news agency 'Petra' in support of the government position and backing the situation of the Jordan Armed Forces 'JAF'. The statement stressed that the Public Iftaa Department takes sole responsibility of issuing fatwas in Jordan and no one requested Fatwa in this regard.⁸

The statement stressed that "Jordan's security, stability and progress is a priority that should be maintained, and the Jordan Army is professionally skilled with established loyalty to its leader, homeland, and Islamic and Arabic nations, it is indeed the army of all Arabs; it is Mohammadan army built and raised on Islamic principles; every unit there is a mosque with Imam and religious activities. This army has long been giving assistance to needy people during crisis times and disasters in different parts of the world, for instance, Bosnia & Herzognia, Haiti, etc."⁹

The statement explained "the army contributed to alleviate pains through its hospitals operating in Gaza, Ramallah, Afghanistan, Liberia, and many other world countries under royal decree from his majesty King

¹ Ibid.

² 'Al-Rai, Jordan Daily Newspaper'

³ Zubaidi, Sami, "Wordy Political Fatwa", Al-Rai Daily Newspaper, Jordan, Tuesday, December/14/2010. P. 28.

⁴ Ibid.

⁵ Al-Khetani, Fahd, Al-Arab Al-Yum, Jordan Daily Newspaper, Saturday, December 18, 2010, P.19.

⁶ Shboul, Hani, "Ikhwan's Terrorist Fatwa", Jordan Zad News, Jordanian News Site, Amman, December 15, 2010, <http://jordanzad.com>, See also: Almadina News Agency at <http://www.almadenahnews.com>.

⁷ Ibid.

⁸ General Iftaa Department, available at: <http://aliftaa.jo/Decision.aspx?DecisionId=502>, and http://www.petra.gov.jo/Public/Main_arabic.aspx?lang=1&site_id=2.

⁹ Ibid.

Abdullah II bin Al Hussein-may Allah maintain and bless him".¹

The state Fatwa concluded that "Nobody has the right to discredit the significant role assumed by our Armed Forces, whether in form of some Fatwa that were not made insightfully, or by other means that aim to inflame riot between people of one country and doubts".²

2.4 The Veterans:

By December 16, 2010 Al-Rai Jordanian newspaper published a statement by the National Committee of Retired Military (NCRM) warning those who try detracting the part taken by JAF considering the Jordanian Army redline should not even touched since these forces, depending on the statement, symbolize Jordan security and safety".³

The NCRM's committee demonstrated in its statement that was released to respond against IAF Party's Fatwa regarding the role of JAF in Afghanistan that "our flourish armed forces undertake their duty as messengers of peace not only in Afghanistan but in most world countries afflicted with wars and natural disasters that they gained credit globally due to their competency, and best performance, noting that the duty is humanitarian and fits with our tolerant Shari'a Law, the Shari'a of peace and love".⁴

The Social Economic of Retired Military and Veterans (SERMV) issued another statement responding against to IAF Party's Fatwa confirming that "the (SERMV) has bitterly and sorrowfully reviewed the Fatwa issued by the IAF Party against our armed forces and their delegates spread out throughout dangerous regions of the world, and the attempt (taken by the Fatwa) to underestimate the part JAF are taking through inaccurate description, and detracting the noble role undertaken by our field hospitals that nobody can assume that noble role but the JAF's sons".⁵

2.5 House of Representatives condemns the Fatwa

During its first regular meeting on December 15, 2010, the 16th House of Representatives released a statement transmitted by the state news agency 'Petra' as to the Fatwa issued by the IAF party's Central Committee of Shari'a Scholars in which indicated that the Party has sailed away from the real part taken by the armed forces in Afghanistan, questioning about the objectives intended by this party from reporting such allegations that indeed seek to mislead the public opinion and cover the truth, depending on the statement, the House explained that 'the IAF Party's Fatwa is unfortunate attempt for instigation, dissension, create disagreements and abusing the country and the people'.⁶

The IAF Party went too far, the statement said, 'by describing the role assumed by the armed forces in Afghanistan that deviate from reality. This, of course, calls to question about the intent motivation of such allegations that mislead the public opinion and falsify the truth'. As elected representatives of the Jordanian people we would like remind the IAF Party's cadre with some facts that we certainly know they are conscious to them".⁷

The parliamentary statement highlighted that "Jordan Armed Forces JAF were sent to Afghanistan to fitful the religious duty towards an Islamic country, and Muslim people by providing assistance in keeping peace and stability across that Muslim country. On the other hand, there are humanitarian considerations in that, with their proven record of experience and proficiency in many parts of the world, the JAF is to provide medical and humanitarian services to Afghani brothers indiscriminately, and certainly all are convinced that provision of such services is much needed given the situations they sustain".⁸ The statement further underscored that "Jordan and its leadership provide every support and assistance possible within its limited capacity to our brothers in Islam those in Afghanistan and Arab brothers in Gaza". The statement also confirmed that "we are certain that Jordan under leadership of his majesty King Abdullah II will not delay to provide every support and assistance to any brothers who would request assistance if we could do that, for it is a religious duty imposed by our tolerant religious and Hashemite nobilities".⁹

In conclusion, the statement continues, "supported with majority of our Jordanian people the House of Representatives condemns the Fatwa describing it as unfortunate attempt to instigate dissension and

¹ Ibid.

² 'General Iftaa Department'

³ 'Al-Rai, Jordan Daily Newspaper' p. 5.

⁴ Ibid.

⁵ Al-Rai, Jordan Daily Newspaper', p. 5.

⁶ Statement by the House of Representatives, December 15, 2010, released by Jordan News Agency (Petra), 16/12/2010 http://www.petra.gov.jo/Public/Main_arabic.aspx?lang=1&site_id=2

Also available at: Al-Rai, 16/12/2010, P. 1.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

disagreement and create separations in a time the country most needed unity and solidarity vis-à-vis dangers and challenges surrounding the country, instead of being distracted by things that at least not in the interest of the country and people; rather they hurt the country and the whole nation.¹

2.6 The Jordan National Party Condemns the Fatwa

A statement by the Jordan National party (JNP) (established 2007) condemned, in a statement published by Al-Rai, Jordanian newspaper, intervention in JAF's business. The statement commented that "issuance a Fatwa that calls for controversy not a Fatwa but indeed instigation". The JNP proudly reminds with the mission JAF have been undertaking over the last years, namely provisioning medical and humanitarian assistance, with all meanings of limitless sacrifice contained in the mission in order to heighten reputation of Jordan and its unparalleled leadership towards keeping our national interests both internally and externally, and helping peoples maintaining disasters, and provide priceless assistance to humans in everywhere". The statement added "we are proud with our blossom armed forces that do construct, but do not destruct, do healing but do not killing, do give but do not invade across the world from distant Haiti to farthest Afghanistan to North and farthest Ivory Coast to south". The Party highlighted that "our armed forces that exist in many parts of the world are there for noble purpose that is to grow up seeds of goodness and disseminate security and safety which is clear to all world peoples and indeed these are the best qualities of our armed forces".²

3.0 IAF Party's Clarifications on the Fatwa

Seemingly, the IAF Party's leaders did not expect the state reaction to the Fatwa be to that level of angry regarding the military participation in Afghanistan. Should they reckon in advance what the government reaction will be, they would not release it. The IAF Party tried relieve the government furious anger by releasing a statement by the Party's Executive Office clarifying the position, followed by a series of press speeches by Party's senior leaders undervalue the Fatwa and connotation.

To clarify, the statement highlighted that "the Fatwa by the Party's Central Committee of Shari'a Scholars intended to demonstrate the Islamic legal judgment as to participation of military troops alongside coalition forces in a combat that is not in our interest". The statement criticized the official respond describing it as "derailed the truth", and the statement by State Minister, Deputy Prime Minister Ayman Safadi regarding the Fatwa as being lacking accuracy, calling the government not to give words improbable meanings".³

The statement underscored the Fatwa by Committee of Shari'a Scholars "was only concerned with combat alongside the coalition forces against a Muslim people that our duty is to help it", and the statement did not allude to the humanitarian and relief and assistance that we highly value and feel proud for every effort exerted", noting that "the legal opinion was general, addressing no one country or army in specific".⁴

The statement confirmed that the Party "highly appreciates and respects the JAF's role in protecting the country, helping brothers once they are attacked by foreign aggressor" the party recalls "in great respect JAF's sacrifices at Alatroun, Bab Alwad, and Al-Karamah encounters with Israel's army in 1948 and 1968, and expressed confidence that the Jordanian Arabic Army will always be in the "forefront of the Islamic and Arab armies to liberate whole Palestine as heralded by the Messenger of Islam Prophet Mohammad".⁵

In a speech to Aljazeera Net, the IAF Party's Secretary-General Hamza Manur commented that "the irritated response by the government is unexpected, and viewing the Fatwa as being directed against the Armed Forces is not true".⁶

Assabeel, daily newspaper published in Amman, and owned by Muslim Brotherhood and IAF party in Jordan, published a statement by IAF party's Secretary-General saying "we salute the role of the Jordan Army in Palestine and Jordan, defending our just issues and that of our nation". He alluded that the party "greatly value the field hospital in Gaza and its significant task there". Regarding why the Fatwa was made this time, Mansur explained to Assabeel Newspaper "we were asked by a Jordanian citizen to show up the Islamic legal judgment pertaining to the combat by Arabs and Muslims armies alongside the coalition forces under the US leadership to fight against the Afghani people".

Mansur also confirmed that the questioning was not about the humanitarian or relief tasks of the military, explaining that they referred the questioning "fatwa-request" to his grace the Kingdom's Mufti-General Abdulkarim Al-Khasawneh and "after a couple weeks of waiting, we received no written or verbal response".

Mansur continued explaining "when no response received, we become afraid that if we blocked a Fatwa from its requestor we therefore would be accountable to Allah, so that we eventually turned the questioning

¹ Ibid. and http://www.petra.gov.jo/Public/Main_arabic.aspx?lang=1&site_id=2

² Al-Rai, 16/12/2010, P. 5.

³ IAF Party's Archive, and website <http://www.jabha.net>

⁴ Ibid.

⁵ Ibid.

⁶ Aljazeera Net, December 15, 2010, <http://www.aljazeera.net/portal>

"Fatwa-request" to Party's specialized committee consisting of shari'a scholars, then we only announced the judgment to public".¹

In an interview with Shihan News site, IAF Party's Secretary-General Hamza Mansur stressed that the government maliciously employed the mosques, essentially major mosques in Capital Amman and the media to aggressively attack the IAF party which precipitated this furious reaction against the party.²

In an interview with "Alquds Alarabi" published in London-UK, Sheikh Zaki Bani Ershaid, Head of Political Committee at the opposing IAF Party said: the Fatwa was a legal reply and "Ijtihad" (in-depth reasoning), it was an answer to a question not more. The Fatwa did not mention Jordan or the Jordan Army; instead the Fatwa addressed the question in general words and within legal (Ijtihad) framework. Unexpectedly, the government machinery of government spokesman Ayman Safadi Deputy Prime Minister, semi-government newspaper's essays, and the parliament responded very hastily with furious statement.³

Commenting on the controversial Fatwa between the government and the opposing IAF Party, Bani Ershaid considered the disputation as "slip" by the officials, and coming across the line by the Parliament was unpleasant. He reemphasized that the "House of Representatives held up for orders or instruction before issuing the statements that aggressively attack the Islamists for the Fatwa that prohibits military participation in Afghanistan".⁴

Jordan Muslim Brotherhood's Controller-General Hamam Saeed in a statement released by Arabic CNN commented on the consequences of the Fatwa: "The Jordan government misused the Fatwa... and the Islamic Movement respects assistance by the Jordan Forces to the Afghani and Palestinian peoples and other peoples in different countries within a humanitarian framework" viewing that "condemnation of the Fatwa by the government is a continuation of the exclusion policy against the Islamic Movement and a crisis bluntly contrived that is unfortunate".⁵

Saeed further explained the Organization's position is focused on "prohibition" of combat alongside the American forces in Afghanistan, stressing that his Organization adopts prohibition fight alongside coalition forces, and by doing so it expresses a legal (shari'a) and political position, since both the legal (shari'a) and political attitudes fit with the Organization's policy".⁶

On his part, the prominent Muslim Brotherhood leader in Jordan Salim Al-Falahat, and former Controller-General written an essay titled: "Noise Calmed Down" published by Addustour, Jordanian daily newspaper on December 19, 2010 satirized what he called "hubbub" passed by few days ago regarding the Fatwa issued by IAF party's Shari'a Scholars in response to question that is innocent or not".

Al-Falahat elaborately stated in his essay "The Fatwa would have a credit or not, standard or not, deeply considered and embraced the details of the issue or not, and many other requirements entailed by the scientific study that are also considered by the shari'a regarding Fatwa issuance and acceptance". He added "supposing the Fatwa was made to prohibit participation in a humanitarian effort for any person, the Fatwa must have been wrong; and supposing it was to prohibit participation in relief, health, or security services or protection of oppressed people irrespective of nationality or religion, the Fatwa must have been wrong; Again, if it was released to distort the delighted face of Jordan, the Islamic Arab country, the Fatwa must have been wrong; supposing it is to target Jordan to degrade its status, the hasty selective Fatwa must have been wrong. Finally, having contemplated the Fatwa carefully, I discovered it only prohibit combating to enemy side and patronize enemies not the Arabs and Muslims, and certainly it is not designed purposefully to criticize Jordan's contribution to humanitarian efforts. In fact, I am shocked for this hasty judgmental respond that is replete with generalization and accusation".⁷

Al-Falahat criticized the government for satanic the (Fatwa and the legal discourse) as said, viewing that the Party behaved responsibly when clarified an Islamic questioning that the official Iftaa Department abstained from explaining it to public in order to not embarrass the American and other oppressive coalition countries that devastated Iraq, its people and unity, and whenever intervene in a country they would leave it completely destroyed".⁸

4.0 Analytical Discussion Results of the Fatwa

The angry reactions by government and non-government officials to the Islamic legal judgment "Fatwa" made

¹ Assabeel Daily Newspaper, Amman, December 16, 2010 <http://www.assabeel.net/local-news/local/30153.html>

² Shihan News, E-journal, Amman, December 18, 2010 <http://www.shihannews.net>.

³ Al-Quds Al-Arabi Newspaper, London, December 23, 2010 <http://www.alquds.co.uk/>

⁴ Ibid.

⁵ Press Statement by Controller-General of Muslim Brotherhood in Jordan Hamam Saeed, December 12, 2011 released by Arabic CNN site: <http://arabic.cnn.com/>

⁶ Ibid.

⁷ Al-Falahat, Salim, "Noise Calmed Down" Addustour Daily Newspaper, December 19, 2010, Issue 15601, P. 37

⁸ Ibid.

by the (IAF) Party was due to the extremist and stringent standing of the Fatwa, that can be described as "instigative" and "takfirist", and abusive to the Jordan Armed Forces (JIF) and its senior leadership. Further, the confirmation of the Fatwa that "any Muslim official is prohibited from dispatching military troops to fight alongside US-led coalition forces in Afghanistan or elsewhere" and stating that "an obey by a Muslim of an order that disobeys order of Allah shall be forbidden since Prophet says: "Obedience and conformance is required from a Muslim unless ordered a wrongdoing, then no obedience" is also can be considered as instigation for the JAF's officers and soldiers not to obey military commands from their leaders.

In addition, the argument by the Fatwa that participation of Muslim military troops alongside the US-led coalition forces to combat in Afghanistan and elsewhere is a sort of patronizing non-Muslims in their aggression launched against Muslims and the judgment by Allah in those "who patronize the Americans and the coalition countries in combating Muslims is that they externalize themselves out of Islam", is a frank "takfir" against JAF's leaders.

The Fatwa included paradox that it was puzzling due to inaccurate facts. Literally, the Fatwa cites this Qur'an verse: "Allah only forbids you from those who fight you because of religion and expel you from your homes and aid in your expulsion - [forbids] that you make allies of them, and whoever makes allies of them, then it is those who are the wrongdoers" [60:9], such cite create impression amongst Muslims that the scene in Afghanistan is a "battle between allies of Allah (the mujahedeen) versus those of the enemies of Allah (US-led International coalition forces)", which is untruthful illusive by the Fatwa.

Although, the US-lead (ISAF) was a response to UNSC demand to help Afghanistan's authority protect its people from terrorist's attacks and maintain peace and security in the country. The Fatwa suggestively characterizes that Afghanistan was facing an aggression and holy wars waged by anti-Muslim armies that belong to disbelieving (kafir) countries, in order to defeat the country, and target the Islamic creed of a Muslim state, namely Afghanistan, and subject its people under domination of the "kafir" invaders to force them give up their religion or else expel them out of their homes".

In spite of being a political party, the IAFP used totalitarian methods (religious decree) to buttress its political status and ensure more supporters in opposing the government policies that does not conform to its political ideology.

The Fatwa was, indeed, a reactionary in the since that it divided the world and human community into two distinct spheres, 'Dar al-Islam' or sphere of Islam (Islamic world or community) and 'Dar al- Kufir' or sphere of infidel (non-Islamic world or community). This division, which has deep roots in Islamic history, was in vogue in medieval ages.¹

5.0 Recommendations:

Drawing on the results discussed earlier, the author recommends the following:

1. "Fatwa" (Islamic legal judgments) should not be used (especially by the political parties) to support or decline a political opinion, or patronize a political view vis-à-vis another, or be used as a weapon for gaining more supporters and opponents to their views.
2. Revisit the mechanism by which a Fatwa is made so as to avoid the risk of politicized Fatwa that threatens Fatwa being derailed from its religious (spiritual) goals towards more elusive issues of politics.
3. A Fatwa shall never be used except for a purely religious purpose since chaos and riot would ensue in community that compels religious Fatwa in politics.
4. Further, compelling religious Fatwa in politics and policies underestimate the noble status of Fatwa through counter reactions by opponents.

¹ For more deeper meaning of Dar al-Islam' and Dar al-Kufir' lessen to Abdul Aziz bin Abdullah bin Baz, a Saudi Arabian Islamic scholar and a leading proponent of the Salafi form of Islam. He was the Grand Mufti of Saudi Arabia from 1993 until his death in 1999, a lecture on Dar al-Islam' and Dar al-Kufir' (May 21, 2014), <https://www.youtube.com/watch?v=bgz0JX6ynJA>.