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**The Jordanian Issue of National Self-Identification –
the Perspective of the Jordanian National Charter
and Basic Laws from 1923 and 1947**

Keywords: Jordan, Arabs, nation, Jordanian national charter, monarchy

Słowa kluczowe: Jordania, Arabowie, naród, Jordańska Karta Narodowa, monarchia

Abstract

Jordan is an Arab state that commenced its existence in 1921 as the Emirate of Transjordan. Its establishment resulted from a political game between the British and prince Abdullah from the House of Hashemite. The only justification for a separate state with the capital in Amman was the reign of the Hashemites in this area. In 1991, during democratization of the kingdom's political system, the Jordanian National Charter was proclaimed. This document summarized the postulates and opinions of the Jordanian society. The analysis of selected passages from the Charter indicates complete dominance of pan-Arab thought among the authors of the text. It is also necessary to indicate frailty of Jordanian identity, despite several decades of the state's existence. The article indi-

cates the abovementioned dependencies and the fact that the dynasty authority remains the primary aspect of distinctiveness.

Streszczenie

Jordański problem z narodową samoidentyfikacją na podstawie fragmentów „Jordańskiej Karty Narodowej” oraz ustaw zasadniczych z 1923 r. i 1947 r.

Jordania jest państwem arabskim, które rozpoczęło egzystencję w 1921 r. jako Emirat Transjordanii. Jego powstanie wynikało z gry politycznej między Brytyjczykami a księciem Abd Allahem z rodu Haszymidów. Jedynym uzasadnieniem odrębnej państwowości ze stolicą w Ammanie były rządy rodu Haszymidów na tym obszarze. W 1991 r. w czasie demokratyzacji ustroju królestwa proklamowano Jordańską Kartę Narodową. Dokument ten podsumowywał poglądy i postulaty społeczeństwa jordańskiego. Analiza wybranych fragmentów Karty wskazuje na całkowitą przewagę myślenia panarabskiego wśród twórców tego tekstu. Należy też stwierdzić słabość identyfikacji jordańskiej pomimo dziesiątków lat istnienia państwa. Artykuł wskazuje na powyższe zależności oraz na fakt, że rządy dynastii pozostają w Jordanii głównym czynnikiem odrębności.

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I. Introduction

The Hashemite Kingdom of Jordan has existed for over 100 years. The official date of its foundation is 1921, when an agreement between British secretary for colonies, Winston Churchill, and Prince Abdullah I from the house of Hashemite, the son of Hussein, the king of Hejaz, was concluded. The emirate of Transjordan was proclaimed then as a British protectorate¹. In 1946 the territory gained independence and Abd Allah was crowned the king². In 1948 Transjordan took part in the first Israeli-Arab war in the result of which

¹ Ph. Robins, *A History of Jordan*, Cambridge 2014, p. 20; B. Wróblewski, *Legion Arabski*, Toruń 2009, pp. 18–19.

² *Ibidem*, p. 57; B. Wróblewski, *Sojusz Wielkiej Brytanii z Haszymidzkim Królestwem Jordanii (1946–1958)*, Rzeszów 2013, p. 104.

it conquered central Palestine, i.e. the West Bank and East Jerusalem. These areas were officially incorporated to Transjordan in 1950. Since that moment the current name 'Jordan' has been used in the West³.

The history of the Hashemite Kingdom of Jordan in the following decades was quite complex and full of crises. In order to understand it one must remember a crucial fact. It needs to be emphasized that the authority of the king and the House of Hashim for many years was the only justification of the state's existence. At the time Transjordan was established there was no social movement striving for establishing a country in the West Bank. The tribes of that area were both nomadic as well as agricultural and they were rebellious towards all authority, but it had nothing in common with a national movement. These communities were formally ready to recognize Arab and Muslim authority in Syria or Hejaz. Eventually, they recognized the authority of Abdullah I because he was a descendant from the lineage of prophet Muhammad, which in Muslim tradition gave the right to exercise power. Obviously, they obeyed the prince also because he was supported by the British, which enabled him to reward subordinate notables, or, eventually, oppress the opposition. In any case, the establishment of a state in the West Bank resulted from the political game of the British and Abdullah I. The foundation of the monarch's power was the pre-modern ideology of Muslim monarchy⁴.

The population of former Transjordan recognised the traditional right of the Hashemite to exercise power and, what is more important, to manage foreign affairs. On the other hand Palestinians, who since 1948 comprised over half the population, did not accept this ideology. They rejected in particular any contacts with Israel and the left and pan-Arab movements predominated over them. Between 1949 and 1970 the history of the state concerned mainly the struggle between the monarchy and the parties and organizations supported by Palestinian citizens. In years 1956–1957 the tensions related with this situation pose a threat of overthrowing the monarchy. Eventually, young king Hussein I suppressed the opposition with the help of the army⁵. Then, in

³ B. Wróblewski, *Jordania*, Warszawa 2011, p. 115.

⁴ F.G. Peake, *History and tribes of Jordan*, Miami, Florida 1958, pp. 106–108; M.C Wilson, *King Abdullah, Britain and making of Jordan*, Cambridge 1999, pp. 49–50.

⁵ J. Lunt, *The Arab Legion*, London 1999, pp. 155–158; B. Wroblewski, *Legion Arabski (1920–1957)*, Toruń 2009, pp. 138–139.

1970 a war broke out between Palestinian military groups and the state army and this time the monarchy also survived the crisis⁶. Due to elimination of the Palestinian military movement there occurred stabilization of the political system and Hussein I ruled the country without a parliament until 1989. In reality it was a monarchy dictatorship based on the army and the security service. Considering the circumstances of the 'Arab world' no significant oppression was applied; nevertheless, the parliamentary system was abandoned⁷. It was only the economy related riots in 1989 that changed the situation and it was already in 1989 when Hussein I held free election. In the following years political parties were legalized and civil rights were resumed⁸. It was during the democratization period when the basic issue of political fundamentals of Jordan reemerged. In 1991 the so-called Jordanian National Charter was legislated. This document did not abolish the then constitution. In fact, its legal value was unclear. In time it turned out that it could be regarded more as a declaration of intentions rather than a legal act in force. Nevertheless, at the moment of its legislation it was viewed almost as a new constitution. It was quite peculiar that the Jordanian National Charter was not legislated by the parliament, but a grand assembly of two thousand delegates representing various communities in the country. It was participated both by local leaders (e.g. Bedouin tribe sheiks), as well as representatives of the intelligentsia. Such a nation-wide conference seemed to give the legal act greater recognition. The assumed procedure implied that the Charter was suspended in an institutional void when considering western legal norms. What is striking is the complete disregard of the parliament elected in 1989; this undoubtedly proves a different type of political thought than in Europe⁹.

Various political groups included in the Jordanian National Charter statements that were to guarantee realization of their goals. It comes as no surprise that the text includes numerous contradictions. An attempt was made to combine elements of conservative monarchism, leftism pan-Arabism and moderate Islam. What might be surprising for a western reader is the fact that the

⁶ C. Bayley, *Jordan's Palestinian Challenge 1948–1983. A Political History*, Boulder Colorado 1984, pp. 56–60.

⁷ Ph. Robins, *A History...*, pp. 142–145.

⁸ *Ibidem*, p. 169 and 171; B. Wróblewski, *Jordania...*, p. 220.

⁹ http://www.kinghussein.gov.jo/charter_national.html, p. 1 (22.01.2008).

document clearly indicates the national community around which the feelings of the citizens should be centred. This community, however, was not the Jordanian nation. Besides, also in the previous constitutional laws Jordanians are not regarded as a nation. Nevertheless, the Charter clearly recognises inferiority of Jordan with regard to an utopian pan-Arab community. At the same time the real power remains in the hands of the ruling dynasty. It is crucial to analyse that way of thinking.

The following article is based on the analysis of the fragments of the Jordanian National Charter and constitutional acts from 1947 and 1923. Nevertheless the Charter seems to be a more interesting text with regard to describing the way of thinking of the Jordanian intelligentsia. With regard to the fragment of the text discussing events in the history of Jordan, various monographs discussing the history of the kingdom in the 20th century were used. These include mainly monographs in English, but also several papers in Polish were used. Currently the access to the Charter is unavailable due the fact that the text was withdrawn from all official sources by Jordan authorities; therefore the access of 2008 was used herein.

II. Jordanian constitution

The first legal act that might be called a constitution of the Hashemite Kingdom of Jordan was ‘the Organic Statute’. It was vested to the Emirate of Transjordan by Abdullah I in 1923. It needs to be emphasized that this legal act was vested by the ruler as an act of mercy towards the society. Hence, one cannot speak here of the nation as the sovereign; such notion was unfamiliar to the citizens. It must be added that vesting this law did not result from bottom-up pressure, but it was only an act of the ruler who wanted to alleviate the importance of his state¹⁰.

Interestingly, in the Organic Statute the very nature of the state was presented in an unclear manner. In the first article that discusses the basic features of the state the name Transjordan does not appear; its wording is as follows: “The Government of the Arab East is a monarchist government with

¹⁰ M.A. Nowar, *The History of The Hashemite Kingdom of Jordan. The Creation and Development of Transjordan: 1920–1929*, vol.1, Oxford 1989, p. 279.

a Representative Assembly, its present Capital is Amman and the official religion of its Government is Islam”. The additional information implies that Arabic was legislated as the official language¹¹. Thus, in reality, in this article Abdullah I established a government not for area-defined Transjordan, but for the Arab east with Amman as a temporary capital of this unspecified territory. This resulted from King’s plans; Abdullah wanted, first and foremost, to rule over Syria and to connect it with Transjordan. After the death of his father he hoped for assuming the throne of Hejaz. Thus, he presented himself as a pan-Arab leader, who only temporarily resided in Amman with his government¹².

The real constitution of an independent state was only the act of 1947. This constitutional act, in fact, has been in force up to now. Obviously, it has been amended numerous times; e.g. in 1954 numerous amendments were introduced, which enabled the existence of political parties. At that time, it seemed that Jordan might become a constitutional monarchy, but it was already in 1957 when that attempt ended up in a political disaster and assuming full power by the king¹³.

What is interesting, however, is another issue – it is to address the question whether the constitution declares the existence of a distinct Jordanian nationality, or whether another community was indicated as the source of sovereignty. The text of 1947 enables us to address these questions.

The constitution does not include any preamble specifying what the Jordanian nation is. In the text the legislator does not claim that the state sovereign is the Jordanian nation or, for example, the Arab one. The constitution does not include such statements. It remains, however, a clearly monarchist character. In numerous articles the legal act describes the rights of the monarch and they are outlined very broadly. Nevertheless, there is no clear statement that the king is the source of the sovereign power. The nature of the state is discussed more broadly in the second point of the introduction to the legal act. Therein one may read that the Hashemite Kingdom of Jordan is an independent and sovereign state the religion of which is Islam. Indivisibility of the state and that its parts cannot be assigned are emphasized there.

¹¹ *Ibidem*, p. 273.

¹² *Ibidem*.

¹³ A.H. H. Abidi, *Jordan A Political Study 1948–1957*, London 1965, p. 224.

This point highlights the fact that the political system of the state is the hereditary monarchy. In the third point it is stated that Amman is the capital of the kingdom and that a change of the seat of government requires a special legal act. In the first chapter in point 15 it is stated that Arabic is the official language of the state¹⁴.

The constitution includes numerous points concerning the rights of the king, but it also secures civil liberties of the subordinate. It also regulates the relations between the Chamber of Deputies in the way that is beneficial for the ruler. However, when it comes to the source of state authority it does not say much. Without a doubt, the text of 1947 does not include statements indicating national distinctness of Jordanians. Also no other national community, e.g. Arabs, was indicated as the source of sovereignty.

III. Jordanian National Charter and the issue of nation

In contrast to the constitution of 1947, which was predominantly a technical text, the Jordanian National Charter had a character of an ideological statement. An attempt was made to describe the values followed by Jordanians, or even who in fact they are. Simultaneously, it was meant to outline fundamental rules of harmonious collaboration between the monarchy, that had until 1989 been authoritarian, and the developing parliament, as well as broadly understood civil society. However, the article is about, first and foremost, how the society perceived itself. A crucial issue is also whether a clearly defined sovereign was indicated.

The first chapter of the Jordanian National Charter, after a long historical introduction, enumerates, in eighteen points, the basic rules which should be followed by the Jordanian society. Let us quote the first point, as theoretically it was meant to define the nature of the state: “The system of government in the Hashemite Kingdom of Jordan is parliamentary, monarchic and hereditary... to respect of the letter and spirit of the Constitution shall enhance the union between the people and their leadership”. In the case of basic issues the Charter refers to the constitution which itself avoids strict definitions. Apart

¹⁴ M.A. Nowar, *The Struggle for Independence 1939–1947. A History of the Hashemite Kingdom of Jordan*, Reading 2001, p. 321.

from that this point reflects a typical feature of the Charter – this document attempted to combine contradictions and avoid them. Thus, a very strong monarchy was combined with the parliamentary system, but no new political system was established¹⁵.

One must admit that with regard to the issue of self-identification the text of the Charter is quite specific. The pan-Arab spirit clearly infuses it. This ideology is clearly dominant among intelligentsia, not only the Jordanian one. In the second point of the declaration of basic rules Jordanians are recognized, without any ambiguity, a part of the Arab nation. It is also noteworthy to quote this point: “The Jordanian people are part of the Arab nation. Arab unity is the only option that would achieve national security of Jordan and the Arab nation in all Arab countries, guarantee, economic and psychological stability and ensure preservation, progress and continuity”.¹⁶ The authors make statements as if there was already an existing Arab-wide state that could guarantee something. The world of political fiction is therein of greater importance than the reality. Additionally, one must add that in the Charter only Arabs are called a nation and it is in the perspective of the whole Arab world. Jordanians are never called therein a nation.

This complete equation of Jordan with hypothetical pan-Arab interests and dissolution of Jordanian distinctiveness in the Arab world comprises a perpetual and recurring theme throughout the entire Charter. One may, for instance, refer to chapter four that concerns Jordanian security. In the first point of the chapter one may read that the security of Jordan is a part of Arab national security. This point implies that the security of the Jordanian state is inseparably connected with the security of the whole Arab nation. Once more, the tone of the statement is that there is, even a partial, Pan-Arab statehood and that Jordan is a part of it¹⁷.

In numerous passages it is emphasized that Arabic must not only be the official language, but also the basic language of education. This is, actually quite an obvious and real postulate. In the sixth chapter, which concerns culture and education, in the first point the fundamental role of this language is emphasized. Additionally, the necessity to translate all academic text into Arabic

¹⁵ http://www.kinghusein.gov.jo/chart_ch1.html (22.01.2008), p. 9.

¹⁶ *Ibidem*, p. 9.

¹⁷ *Ibidem*, p. 15.

is assumed. The third point, on the other hand, appeals to the state for running cultural policy, the aim of which should be boosting the pride of grand Arab and Islamic future¹⁸.

In the eight chapter the continuous emphasis that Jordanians are a part of a bigger whole reaches the peak. Therein one may read the following chapter that opens the chapter: “Jordan is an indivisible part of the Arab and Islamic nation. Hence, its national identity is Arab just as Islam is the faith of the nation, the fountainhead of its civilisation and the source of values with govern is conduct...”. The following part of the chapter discusses the Arab fatherland as the natural territory for the Arab nation. Then, the following statement appears: “...Arab unity is the fundamental base. It is also the real response to the current state of disarray. It is the objective solution to the economic and social problems... and the best means for a better for the Arab nation”. The following two points repeat the same idea; they conclude the necessity of pan-Arab union and emphasize that Jordan comprises an inseparable part of the Arab nation, which needs to be united¹⁹.

In the same chapter one should also indicate the fifth point. Herein one may read that the pan-Arab politics must lead the Arab nation to liberation of all Arab territories. This concerns in particular the territory of Palestine. The soonest realization of the unification for the purpose of reclaiming the rightful role of Arabs in the world should be strived for. Although in the eighth point it is admitted that Jordan should realize its own interests, in general once again there appears a sentence about the Arab issue and the necessity of the attempts to solve the Palestine issue²⁰.

One may also add that a bit before, in chapter seven in the first point, the following is stated: “The Palestinian Arab identity is a political identity forged by struggle. It is not and must not be contradictory to the Arab Jordanian identity...”. The authors here are driven by an additional purpose – they oppose the Israeli statement that Jordan is a Palestinian country. They state, however, that both Palestinians and Jordanians are an indispensable part of

¹⁸ *Ibidem*, p. 19.

¹⁹ *Ibidem*, p. 24.

²⁰ *Ibidem*, pp. 24–25.

the Arab nation, although it does not seem to be a fortunate argument for rejecting Israeli concepts. For the authors, however, it is an absolute axiom²¹.

IV. Summary

The title of the article mentions the issue of national self-identification of Jordanians. The materials presented herein, in particular the fragments from the Jordanian National Charter, contradict that statement. The authors of the text, namely Jordanian intellectuals of various views (both leftists as well as Islamists), clearly precise their national identification. They regard themselves as a part of the Arab nation and Jordan as a fragment of the Arab fatherland. At some point one may even get an impression that Jordan in itself comprises a problem, the solution for which is a pan-Arab union. The authors of the Charter do not have a problem with self-identification and they regard themselves as a part of the Arab nation and it is only that community that they call a nation.

Nevertheless, it must be stated that the problem lingers. The Charter is completely emerged in the pan-Arab political ideology. The authors present their ideas in the way as if a united Arab state already existed, or was not far from establishing. The image that emerges from the whole text is that it is necessary to realize some hypothetical interest of this prospective Arab union. Meanwhile, the real interest of Jordan blurs in this stream of words; obviously, not considering the rights of the monarchy. Thus, one must state that the creators of the Charter, and to a certain extent the general Jordanian intelligentsia, functioned in the world of fiction and political utopia. The unreal unity substituted therein the reality. Eventually, despite the enthusiasm of the authors, Arab unity has not been achieved. It is also untrue to suppose that the pan Arab attitudes from 1991 have vanished. It is true that the new king Abdullah II emphasizes distinctiveness of Jordan, and the website with the Charter has been deleted from the Internet; nevertheless the way of thinking still remains. The problem is the utopian character of the pan-Arab concept, which brings about weakness of national identification within the states. Obviously, in the Arab world in is not only the problem of Jordan.

²¹ *Ibidem*, p. 23.

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