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# CORRUPTION AND MEDIA FREEDOM IN JORDAN

*EVALUATION REPORT*



**RASHEED TI-JO RESEARCH SERIES:  
HUMAN RIGHTS**

*Rasheed (Transparency International-Jordan) was established at the end of 2013, as a non-for-profit civil society organization, through a group of activists working in the field of anti-corruption. Rasheed (Transparency International-Jordan) commenced work in Amman at the beginning of April 2014, and it represents the only official contact group of Transparency International in Jordan.*

*Rasheed (Transparency International-Jordan) aims to reinforce the involvement of the Jordanian citizen in anti-corruption activities, protect public, private and local governance institutions against corruption, enhance the efficiency and independence of control agencies specialized in the area of anti-corruption, strengthen the integrity of the legislative and judicial authorities, and reinforce the performance of Rasheed (Transparency International-Jordan) towards achieving its mission and vision.*

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## Introduction

Freedom of opinion and expression - including "*the freedom to receive and disseminate information and ideas by any means and regardless of state borders*" (Article 19 of the Universal Declaration of Human Rights) is one of the fundamental civil and political rights that are set forth in all relevant instruments in areas of human rights. It is a fundamental right for a democratic system in which everyone, not just citizens of a state, has the human right to freely express himself or herself.

The freedom of a particular society can be easily determined with the help of freedom of the press and the media, as they play a central role in democracy in informing the public and carefully examining the state of public affairs, without fear of harassment, lawsuits or repression. This requires an appropriate legal framework that ensures the independence of the public media and pluralism among private ones, as well as monitors the activities of the media in relation to standards of objectivity, fairness and decency.

A democratic political system and freedom of speech are a real mechanism for effectively and efficiently combating corruption. In-depth literature review shows that media play significant role in anti-corruption activities, which is summarized as following:

Educate citizens and officials about the possible areas and forms of corruption in order to increase the legal awareness of citizens. Thus, the media will attract an audience, strengthen public support, increase advertising revenue; hidden mechanisms of manifestation of corruption will open to society, which will interfere with its further development;

Organize communication of the citizen, civil servant, business representatives, providing a platform for public discussion; give methods and examples of the exclusion of corrupt practices from the activities of all subjects of society;

Describe good practices and highlight anti-corruption practices;

Educate society about the methods of successfully combating corruption in foreign countries and compare the applicability of these methods in their country;

Carry out extensive monitoring, sociological, legal research in this area with the obligatory publication of the results and proposals for their elimination;

Facilitate the allocation of funding from business and the state to combat corruption;

Promote openness and transparency of the activities of state authorities and business, which reduce corruption in general, etc.

## What is free media and why is it important?

Freedom of expression and freedom of the media are fundamental human rights. Free media, not subjected to the control by the authorities, are a platform for a free exchange of views. Their presence can help reduce international tension and prevent conflict.

The freedom of the media remains valid in the digital age. New media, including the Internet, mobile communications and other rapidly evolving digital technologies, complemented, but did not replace, traditional media in defending democracy, peace and stability.

Independent and pluralistic media, which are based on the principle of freedom of expression and information, are the key element for the establishing and enshrining democratic values. Free and autonomous media are also essential for the protection and promotion of all human rights. Another important role of free media is their ability to highlight facts of discrimination, torture, corruption, misuse of power, etc., and, thus, making such cases known to the public is usually the first and significant step to initiate the investigations of human rights violations and keep government authorities accountable (CoE, 2014).

Media itself is an important market that can generate billions of income and hundreds of job places, and freedom of speech is the most important tool for developing this market, as it makes the media compete with each other: media compete for the attention of the reader, who needs reliable information and different points of view

Freedom of the press, which has transformed with the development of new means of communication into freedom of the media, is rightfully considered the main principle of the functioning of the press, radio, and television in law-based states. It is an indispensable element of a democratic regime and a necessary condition for ensuring for individuals and their associations political pluralism and cultural diversity.

Difficulties with understanding the idea of freedom of speech and freedom of the media comes from the polysemy of the word "freedom" itself. Mostly, freedom is understood as a complete absence of restrictions. But such a situation cannot be, since the unlimited freedom of one means the suppression of others. In democratic societies, freedom in one area or another always has both legal and moral limitations. In the absence of adequate legal and social norms governing the exercise of freedom of speech and expression for a person and for the media, the interests of both can conflict. Real freedom of speech and freedom of the media in a democratic society is achieved through a complex process of accounting and balancing these factors.

In accordance with the 1966 Covenant on Civil and Political Rights, freedom of speech also implies freedom of expression by any person of their opinions and beliefs, including through the press. Moreover, the 1970 Declaration on the Media and Human Rights states that

freedom of expression in the media should include freedom to seek, receive, transmit, publish and disseminate information and ideas.

According to a study conducted by Freedom House in 2018 on freedom of press in the world, only 13% of the population lives in countries, where people have access to free media that do not feel political and economic pressure and journalists can independently cover events without fear for their lives. The leader in terms of freedom of speech in the world is Norway, followed by other Scandinavian countries and countries of Western Europe. At the same time, in the countries of Central and Eastern Europe, especially in Hungary and Poland, the situation with freedom of the press is not so good. The countries with the lowest level of freedom of speech include North Korea, Syria, Uzbekistan, Turkmenistan, and Azerbaijan (GA, 2019).

According to the report published by the Reporters Without Borders, the Middle East and North Africa (MENA) region is still the most dangerous place for journalists; thus, even despite the slight decrease in number of journalists deaths in 2018, Syria is still extremely dangerous and unstable place for journalists and other media staff taking 174<sup>th</sup> place in the world ranking as well as Yemen with 168<sup>th</sup> place. However, other states in the region also possess threat to media representatives, such as in Libya with 162<sup>nd</sup> place there are high levels of arbitrary arrest and imprisonment. The same situation is witnessed in Iran (170<sup>th</sup>), Saudi Arabia and Egypt (sharing 163<sup>rd</sup> place) as well as in Bahrain (167<sup>th</sup>), and most of them sentence journalists even without trial or the proceedings being dragged interminable as the case of Morocco (135<sup>th</sup>) (RWB, 2019).

Freedoms such as free press are generally considered important human rights and powerful controls against government malfeasance. An independent press is probably one of the most effective ways to uncover trespassing government officials, as any independent journalist has a strong incentive to investigate and uncover stories on wrongdoing and attempt to disperse the information to the masses. Countries with a free press should, therefore, have less corruption than countries where free press is not present. Preliminarily, the hypothesis of this paper was that the existence, expansion, and application of free media would strongly determine levels of corruption. From many different voices on the matter there is evidence of a significant relationship between more press freedom and less corruption in a large cross-section of countries.

Freedom of speech is not only a prerequisite for democracy but also the guarantor for social development. The free flow of ideas and opinions, as well as debate and critical examination, creates a wealth of ideas and drives innovation. Thanks to the principle of public

access to official documents, citizens have the right of access to information held by the public authorities. This way, private individuals and journalists can scrutinize power structures and elected politicians. Freedom to express one's opinion should never be a luxury for people in some countries; it is the right of every human being.

Freedom of speech helps businesses grow: competition grows when there is a lot of information. The less information, the more often two problems occur. Firstly, many investments are ineffective and worthless. Secondly, there is too little investment, because investors in the absence of information are afraid to spend money in vain. If information channels are weak, the financial system (banks, funds, other intermediaries, stock and bond markets) performs its function worse – transferring money from those, who have them to those, who could use them efficiently, producing goods or services

### **Corruption and media**

Like any complex social phenomenon, corruption does not have a single canonical definition. Sociologists, management specialists, economists, lawyers, and just citizens interpret this concept in different ways.

For instance, sociologists argue that "*corruption is a rejection of the expected standards of behavior on the part of government officials for the sake of illegal personal gain*". This statement turns out to be too narrow (corruption can be in private corporations), and too broad. Meanwhile, lawyers believe that "*corruption in the broad sense is a social phenomenon affecting the public administration apparatus, expressed in the decomposition of power, the deliberate use of state and municipal employees, other persons authorized to perform public functions, their official position, status and authority of the post for personal gain or in group interests*" (Luzhin, 2012, 9).

Conceptual and operational issues make it difficult to formulate the global definition, as it is culturally relative. Corruption varies from region to another, and its exact form usually refers to the norms and customs of the specific country: thus, actions which are perceived as corrupted by one nation may not be considered as such by another nation with a different set of norms. So, the notion of corruption remains largely contextual, and as a result, there are various definitions of corruption within the research literature, ranging from the too broad guidelines to the too narrow descriptions (Adamenko, 2018).

However, in order to understand the concept of corruption, it can be extracted from the classifications of corruption regarding several criteria: who, how, why and how often.

**The first criterion** is the type of activity of a corrupt official (Figure 1 – who):

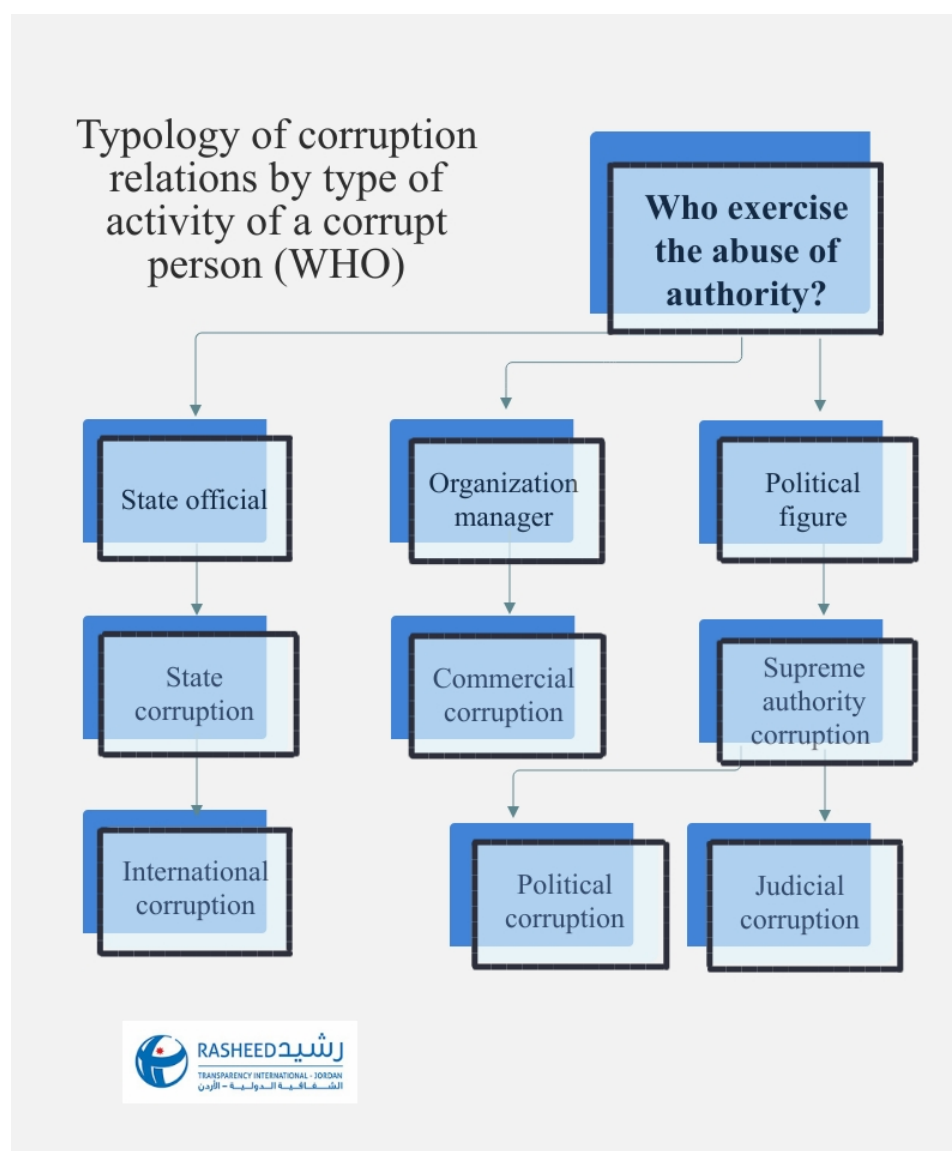


Figure 1: Typology of corruption relations by type of activity of a corrupt person.

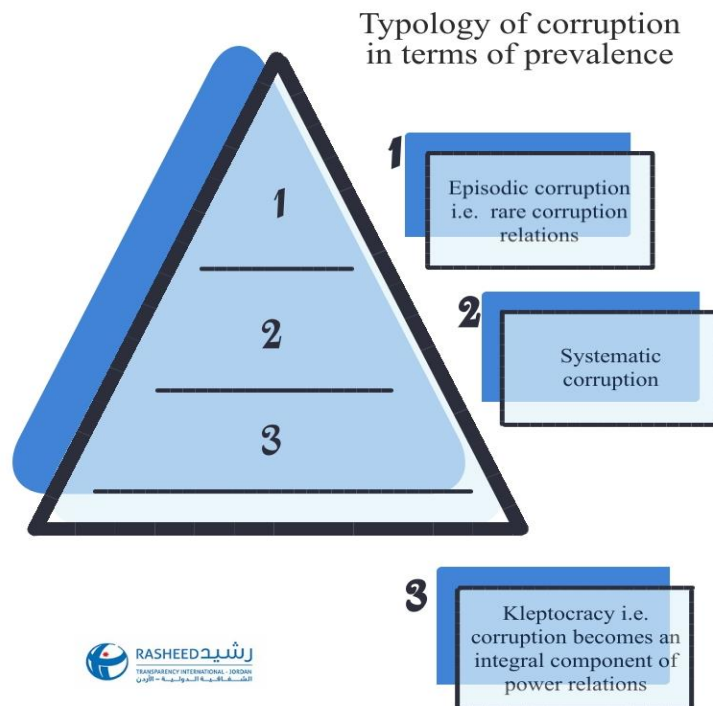
**The second criterion** is the forms of corruption relations (how and why), that includes:

- bribery, illegal income, illicit enrichment (extortion, “kickbacks”);
- theft and privatization of state resources and funds;
- misappropriation (falsification, forgery, theft; misappropriation of money or property), abuse of public funds, embezzlement;
  - nepotism or cronyism, favoritism (appointment of relatives and friends to posts and positions);
  - promotion of personal interests, collusion (provision of preferences to individuals, conflict of interests);
  - accepting gifts for faster problem-solving;



- protection and harboring (concealment, perjury);
- abuse of authority (intimidation or torture);
- manipulation of regulation (falsification of elections, decision-making in favor of one group or particular person);
- electoral violations (purchase of votes, fraud of election results);
- rent seeking – extortion (civil servants illegally set fees for services or artificially create a deficit);
- patronage and clientelism (politicians provide material services in exchange for people`s support);
- illegal contributions to election campaigns (giving gifts to influence the content of policies).

**The third criterion** is how often corruption occurs (Figure 2 – how often):



*Figure 2: Typology of corruption in terms of prevalence.*

Corruption leads to various outcomes, and, thus, it can influence different areas. For instance, economic consequences of corruption include expansion of the shadow economy, violation of the competitive mechanisms of the market, slowdown of the emergence of efficient private production and inefficient use of the budget funds as well as increase of

prices due to corruption “overhead costs”, worsening of the investment climate and expansion of corruption in non-governmental organizations.

As for social outcomes, it includes distraction of huge amounts of money from the goals of social development, increase and fixation of property inequality, discretization of the rule of law as the main instrument for regulating the life of the state and society, strengthening and expansion of organized crime due to corruption in law enforcement agencies along with the increase of social tension, decrease of the level of economic development and threatening of the political stability in the state.

Meanwhile, within the political sphere, corruption impacts result in shift of policy goals from nationwide development to ensuring the rule of certain clans, decrease of confidence in government authority, growth of its alienation from society, decrease of the country's prestige in the international arena, and the growth of the threat of its economic and political isolation as well as the reduction and profanation of the political competition, increase of the possibility for a collapse of democracy on the basis of the development of a dictatorship scenario coming to power in the wake of the fight against corruption.

Although, corruption activities within the media environment have not been studied sufficiently, however, there are some studies conducted regarding the types and origins of corrupt activities within this sector. Forms of corrupt acts in the media landscape can have a number of variations from abuse of authority and power while hiring or firing new employees or making decisions regarding editorial context and affecting media coverage. The most spread types of corruption within media are the following (AALEP, 2016):

1) Bribery – the most common type of corrupt activities. The reviewed sources provide evidence of a number of cases, when editors, journalists and other media staff were accepting bribes and paid information disguised as new cases and stories, or taking financial benefits either for not publishing damaging materials or vice versa – providing for public favorable ones. Such illegal activities undermine the impartiality of the media and lead to the spread of practices of fictional and biased news as well as the phenomenon of “news for sale”. Such attempts for gaining financial benefits can occur within different levels including 1) interpersonal level, when money are provided directly to the bribe-taker; 2) intra-organizational level, when editor or high staff members tell employees what to write and what not to mention due to some kind of internal pressure, for instance, from the advertising; 3) inter-organizational level, which is characterized by the formal agreements due to which media organization is paid for publishing specific amount of articles and news on monthly bases in exchange for some remuneration;

2) Advertisements and gifts – this is an alternative way to affect media reporting for private gain or political interest. Such type of media corruption is widely spread in the developing countries, where salaries are at the low rate. As a result of such activities, there is a spreading collusion between media staff, public relations and advertising agencies. Another common way for impacting the coverage of issues and preventing the editorial process is placing advertisements within the media. For instance, some media agencies highlight the increasing trend of public relations companies to publish non-objective or pseudo independent news releases in order to promote the products or interests of their clients. Similar to this, cases of cash for remarking implies publishing advertisements as editorial comments or opinions. Such acts can also occur for the political reasons in cases of gaining influence over media outlets;

3) Nepotisms – one of the modern types of corruption, which is widespread in the Middle East countries and called “wasta”. This king of corruption within media landscape includes hiring or firing employee as well as publishing information of media coverage in the interest of the persons` close environment, such as friends or family members, and is based on the misuse of provisions and authority;

4) Media capture – the way of capturing media coverage for private or governmental interests, which is represented as a present or latent threat in most of the developing states. Media are the most essential and important source of information, but at the same time they are also the most effective and efficient way of influencing public opinion. Thus, this feature of media makes it very vulnerable for the corrupted individuals to use such opportunity for their benefit, and at one level media capture can include direct financial remunerations, while at another – the owner of the media source can indirectly affect administrative decisions and legal provisions regarding media regulations in personal favor. In some countries that face a patronage system, media can be also influenced by clientelism that makes it hard to make it independent and free from political and business constraints.

## **Jordanian Context**

### **Media Freedom**

Jordan has ratified the International Covenant on Civil and Political Rights (ICCPR), which asserts the right to freedom of expression. Article 19 of the ICCPR states that (ICCPR):

1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- a) For respect of the rights or reputations of others;
- b) For the protection of national security or of public order or of public health or morals.

Although, the UN Human Rights Committee noted that: *Any restrictions on the operation of websites, blogs or any other internet based, electronic or other such information dissemination system, including systems to support such communication, such as internet service providers or search engines, are only permissible to the extent that they are compatible with paragraph 3. Permissible restrictions generally should be content-specific; generic bans on the operation of certain sites and systems are not compatible with paragraph 3. It is also inconsistent with paragraph 3 to prohibit a site or an information dissemination system from publishing material solely on the basis that it may be critical of the government or the political social system espoused by the government* (El-Rayyes, 2015, 13).

There are many different ways in which the media is controlled across countries, which may lead to very different outcomes for corruption. Restrictive legislation, threats, physical harassment, verbal abuse, financial extortion, censorship, media concentration, intimidation, violent assaults, high entry costs and access restrictions to the media market are some of the most common restrictions to press freedom (Freille, S., Haque M. E., Kneller R., 2007, 54). Yet there is nothing to suggest that the effect of these restrictions is homogenous, or the effect of any one restriction would be equal in all situations. There is also concern that media freedom's apparent relationship to corruption simply picks up wealth effects and the institutional environment, rather than positively impacting corruption to the scale that is regularly reported (Chowdhury S. K., 2010).

Thus, Jordan's press freedom ranking increased by two places in 2019 compared to 2018, according to the World Press Freedom Index. The index, published by Reporters Without Borders, indicated that Jordan's ranking in 2018 increased to 130th place compared to 132th place in 2015. Jordan's media take care to observe the limitations set by the authorities. The authorities have stepped up control, especially over the Internet, since 2012, when the press and publications law was overhauled. Hundreds of websites have been

blocked since 2013, because they do not have a license, while security grounds are often used to justify the prosecution and sometimes imprisonment of journalists under an extremely vague terrorism law. Jordan is ahead of Egypt, which came in the 163<sup>rd</sup> place, Saudi Arabia and UAE in 172<sup>nd</sup> and 132<sup>nd</sup> places respectively, while Kuwait came in 108<sup>th</sup> place (Reporters Without Borders, 2019).

A report conducted in 2015 by the Centre for Defending Freedom of Journalists showed that the issuance of gag orders was seen by journalists as "pre-censorship". According to the CDFJ survey, 79.3 percent of journalists sampled believed that gag orders issued by the Media Commission or other parties prohibiting publication represented "prior censorship" and "harassment" against media freedom. Such decisions and gag orders banning publishing reinforce self-censorship among journalists and media outlets, in turn curtailing society's right to information, the CDFJ report said. Results from the CDFJ report indicated that 63.5 percent of respondents considered these gag orders as measures to reduce the spreading of rumors and false news, while 35 percent disagreed. While 62.4 percent described these circulars as measures that reduce hate speech, 36.5 percent disagreed (IPI, 2015, 6-7).

The eruption of the Arab Spring in 2011 boosted the number of individuals in Jordan using social media platforms, specifically Facebook, and the increased Internet penetration rate led to a flourishing online environment in which news websites proliferate within a short period of time. As a result, by 2013, the number of Facebook users in Jordan increased from 2.6 million to 6.5 million, with some 400 news sites. The increased Internet penetration rate, the rise in political dissent in the region, and the increase in the number of Facebook users have had the combined effect creating more space for freedom of expression and public criticism of the Jordanian regime. But as the open, unregulated nature of the Internet in Jordan pushed media freedom, it also created a fertile environment for irresponsible and sometimes criminal activity. Many news websites have been implicated in alleged attempts to blackmail public figures and private institutions by threatening to publish defamatory information about them. Such incidents provided a pretext for officials and parliamentarians to introduce measures aimed at restricting the online media environment.

Thereby, coupled with several legal and constitutional amendments approved by Jordan's Parliament, these developments have created a situation whereby journalists and others are afraid to speak openly about topics including (IPI, 2015, 7):

1. Terrorism and statements issued by terrorist groups – authorities consider the dissemination of those statements or reports on them to be an act intended to spread terrorist groups' propaganda.
2. Jordan's king, the royal court and members of the royal family; heads of state and members of the royal families of states allied with Jordan; and national religious or tribal leaders.
3. Actions by the military and the intelligence services, particularly actions related to the fight against the Islamic State group and the ongoing campaign in Yemen.

The legislative framework that regulates media freedom and freedom of expression in Jordan is composed of various legal instruments. The Jordanian Constitution protects the general principle that citizens have the right to freedom of expression while simultaneously allowing for legislative restrictions on this right. Article 15 of the constitution states: "*Every Jordanian shall be free to express his opinion by speech, in writing, or by means of photographic representation and other forms of expression, and when provided it does not violate the law*" (CHKJ, Art. 15).

In modern history, Jordan has been among the most active states, when it comes to media freedom. The country was also the first one in the Middle East region to adopt a law on the right to access to information. It should be also mentioned that Jordan's national plan for human rights for 2016-2025 focuses on freedom of opinion and expression as areas of concern for further action. According to the national plan, media employees should obtain sufficient protection, while performing their work, and violations of the freedom of opinion should be monitored.

However, despite Jordan's efforts in this field, there are worrying trends. Several journalists were arrested in Jordan in the last year only. Moreover, hundreds of websites were blocked in the last few years. Self-censorship hinders journalists from practicing their profession fully. In 2018, Jordan was ranked 132th out of 180 countries on Reporters without Borders' index of press freedom in the world. Jordan is situated in a troubled part of the world, and issues related to security — of course — need great attention. However, security should not be a legitimate reason to limit fundamental rights. Quite the opposite: respecting human rights contributes to long-term stability and peace (RWB, 2019).

### **Corruption in Jordan**

Since 1995, TI has been issuing its annual report on corruption perceptions' index. It measures corruption perceptions in the public sector depending on a number of surveys, experts' assessments and opinions of businesspersons. The corruption perception index in

the State's public sector depends on a scale (from zero to 100) so that zero means highest rank of corruption perception while (100) means less perception, Table (1) shows Jordan's rank on this index for 2005 up to 2018:

Year	Grade	Rank	Countries under rating
2005	57	37	159
2006	53	40	163
2007	47	53	180
2008	51	47	180
2009	50	49	180
2010	47	50	178
2011	45	56	183
2012	48	58	176
2013	45	66	177
2014	49	55	175
2015	53	45	168
2016	48	57	176
2017	48	59	180
2018	49	58	180

*Table (1) shows Jordan's rank on corruption perception. Source: Transparency International.*

Systemic corruption and social inequality go hand in hand, leading to disenchantment with the highest political leadership and creating fertile ground for the growth of the influence of populist politicians. This conclusion can be reached according to the annual Corruption Perception Index for 2018 published by Transparency International. Two third of 180 countries included in the Corruption Perceptions Index for 2018 received less than 50 on a scale of 0 (perceived level of corruption is extremely high) to 100 (perceived level of corruption is very low), and meanwhile lowering the average global indicator to 43 out of 100. As for the Middle East and North Africa region, the average score is 39 with the highest particular indicator of 70/100 of the United Arab Emirates and the lowest – Syrian 13/100.

According to the Corruption Perception Index 2019, in Jordan, civil society protests contributed to deprive the prime minister from his mandate, however, the new government has yet to fulfill its anti-corruption commitments. Another challenging issue is the presence of powerful and influential parties blocking state attempts to advance anti-corruption. Looking

ahead, state authorities should ensure financial and administrative independence of public institutions, and protect civil society and promote and protect the right to freedom of speech (TI, 2019).

At the same time, the Global Corruption Barometer provided a questionnaire among people in the Middle East and North Africa region for their opinion of the scale of corruption in their country, allowing better understanding how corruption was perceived through the eyes of ordinary citizens. Thus, in Jordan three quarters of respondents or 75 per cent said that corruption rose in the 12 months prior to the survey. Moreover, 25% of people said that the public sector was all or mostly corrupted, and 32 % and 21% told that it was somehow and not corrupted at all respectively. In addition, 61% of people stated that the government was doing bad in eradicating the level of corruption in the country, while 34% said vice versa – that the State was doing well (Pring, 2016, 7-12).

Within the region, people were responding that the most effective actions to help fight corruption are “*Reporting corruption incidents*” and “*Refusing to pay bribes*”. For both of these methods, nearly a quarter of people said that they were most effective (24 per cent and 25 per cent, respectively). Particularly, in Jordan there was a preference for reporting corruption, with this action coming top of the list as the single most effective thing that people can do (40 per cent). Despite such positive attitudes of ordinary people to fight corruption, there was a substantial minority, who felt completely pessimistic regarding the effectiveness of people’s actions in order to combat corruption activities. One-fifth (20 percent) of respondents overall said that there was nothing that ordinary people could do to help fight corruption (Pring, 2016, 23).

### **Legal framework on fighting corruption**

The United Nations Convention against Corruption (UNCAC) does not provide a specific definition for corruption. However, the Transparency International (TI) has defined corruption as the abuse of entrusted power for private gain (TI, 2016). On the other hand, Article 5 of JACC Law No. 62 of 2006 provides as follows (ACCL No. 62, 2006, 2):

“For the purposes of this Law, the following shall be deemed as corruption:

1. Offences violating office duties stipulated in the Penal Code No. 16 of 1960, as amended.
2. Offences violating public trust stipulated in the Penal Code No. 16 of 1960, as amended.



3. Economic crimes in the meaning specified in the Economic Crimes Law No. 11 of 1993, as amended.
4. Any act or inact, which may infringe public funds.
5. Illegal abuse of power or authority.
6. Acceptance of nepotism and favoritism, which nullifies a right or validates what is void.
7. All actions provided in international anti-corruption conventions to which Jordan has acceded".

Jordan has a comprehensive system to prevent corruption. This system consists of the legislative and the institutional framework of the authorities in charge with this mandate, which in turn draws policies to fight this phenomenon. Developing the Strategy requires reviewing this system in order to identify gaps and develop legislation to conform with international standards related to preventing and fighting corruption and ensure continued anti - corruption efforts by incorporating these issues in the Action Plan of the JNACS 2013-2017 (IACC, 2017, 17).

The Anti-Corruption Commission is the main body responsible for combating corruption, although the Anti-Money Laundering Unit in the Central Bank is responsible for combating money laundering. Despite increased investigations, some local observers questioned the commission's effectiveness due to its limited jurisdiction, insufficient staff, legal obstacles, and the small number of investigations involving senior officials or large government projects. There were credible claims that the commission failed to investigate cases involving high-level officials. The Ombudsman Bureau receives and investigates public complaints about corruption and misconduct by public officials (US Department of State, 2016, 28).

Jordan has ratified the (UNCAC) which entered into force with effect from 24/2/2005 and thus became applicable. At the domestic level, there is a range of legislation that prevents and combats corruption, including the following (IACC, 2017):

**1) JACC Law No. 62 / 2006, as Amended:** this Law provides for the establishment of an independent Anti-Corruption Commission linked to the Prime Minister, with financial and administrative independence, and shall freely and independently undertake its duties and work without any influence or interference from any other party.

The Law identifies the objectives of the Commission, corruption acts, its granted powers during the investigation of financial and administrative corruption. Powers include

receipt of notifications and complaints, commencement of investigation collection of evidence and information to detect acts of corruption, seizure of movable and immovable assets, travel bans, requesting restriction from performing work, as well as providing necessary protection for whistleblowers, witnesses, informants and experts. It also clarifies recovery of corruption proceeds and considers any contract, agreement benefit or privilege that has been obtained as a result of an act of corruption as revocable or voidable by a decision of the competent court. (ACCL No. 62, 2006).

**2) Penal Code No. 16 / 1960, as Amended:** it incriminates a set of corruption acts, including crimes against public office duties, such as bribery, embezzlement, abuse of power and breach of office duties as well as crimes against public trust, such as imitating the seal of the State forging banknotes, criminal forgery, and false certifications (Jordan Penal Code, 1960).

**3) Economic Crimes Law No. 11 /1993, as Amended:** this Law sets out actions that are considered as corruption, including contractor crimes that undermine the financial position of the State, vandalize public water facilities. In addition, the Law considers the crimes stated in the Penal Code as economic crimes if they cause damage to the economic status of the Kingdom, breach public trust in the national economy, currency, stocks, bonds or traded securities, or if they are related to public funds. These crimes include fire, means of transportation and fraud that poses a comprehensive threat or violates duties of the post. It also includes crimes related to public trust, forgery, theft, fraud, fraud in the type of goods, illegal speculation and bankruptcy (Economic Crimes Law No. 11, 1993).

**4) Anti-Money Laundering and Counter Terrorism Financing (AML/CTF) Law No. 46 / 2007, as Amended:** Article 3 of this Law incriminates money laundering offences, whether committed inside or outside the Kingdom, provided that the act should be subject to penalty in accordance with the valid law of the country in which the act has performed. AML/CTF law defines crimes that are punished in accordance with valid legislations in the Kingdom, as well as the crimes that any other valid legislation considers its proceeds to be subject to money laundering crimes stipulated by the international agreements, to which Jordan adheres. The task of implementing the provisions of this Law is assigned to AML/CTF Unit (Law No. 46, 2007, 2).

**5) Law on Securing Access to Information (LSATI) No. 47 / 2007:** this Law states that, “*Every Jordanian has the right to obtain the information he/she requires in accordance with the provisions of this Law, if he/she has a lawful interest or legitimate reason therefor*”. It also

obligates officials *"to facilitate access to information and guarantee the disclosure thereof without delay and in the manner stipulated in the present Law"* (LSATI No. 47, 2007).

**6) Financial Disclosure Law No. 54 / 2006:** this Law stipulates that senior government officials must submit their financial statements as well as those of their spouses and underage children prior to assuming their duties.

The Law also includes heads and members of tender and procurement committees in government departments, municipalities, holders of any post which Cabinet decides to be governed by this Law, as well as Chairpersons of any company in which the government holds more than 50% of the shares. The Law regarded illicit enrichment as any property, movable or immovable, interest right to an interest, gained by any person subject to this law, for him/herself or others because of investing his/her position or capacity; and if there is a sudden increase in his/her property or his/her minor children's property after assuming such position or capacity that is not commensurate with his/her resources; and if the person fails to demonstrate a legitimate source of such increase, it shall be regarded as resulting from investing his position or capacity" (Financial Disclosure Law No. 54, 2006).

**7) Jordan Ombudsman Bureau (JOB) Law No. 11 of 2008:** it grants any party harmed by any of the Public Administration decisions measures, practices or omission thereof, the right to file a complaint against the concerned Public Administration before the bureau.

The Law obliges the JOB President after concluding his procedures and finds out that the Public Administration decisions, procedures or omission thereof include violation of law, injustice, abuse or inequality based on illegal instructions, unfair procedures negligence, default or error, to write a detailed report of the issue and send it to the concerned Public Administration. JOB president is entitled to make recommendations which he deems appropriate regarding the subject of the complaint (JOB, 2008).

The law provides criminal penalties for official corruption, although the government did not implement the law effectively. Officials often engaged in corrupt practices with impunity. Some investigations into claims of corruption were conducted, but just few of them had convictions. The use of any connections, including family and business, in order to advance personal interests was widespread. There were allegations of lack of transparency in government procurement, government appointments, and dispute settlement (US Department of State, 2016, 27).

## Evaluation and evidence

This part of the paper focuses on distinguishing 2 issues, which are corruption perception and perception of media freedom, and on measuring impact of corruption on the freedom of media.

If to measure the relation between corruption and media freedom in Jordan, this study uses simple regression analysis. Media freedom in Jordan is a dependent variable and it will be represented as Y, and corruption is an independent variable and will be represented as X. For quantitative expression of these variables this study used the Corruption Perceptions Index and Press Freedom Index.

Based on expert opinion, the Corruption Perceptions Index (CPI), which was taken from the reports of Transparency International (TI), measures the perceived levels of public sector corruption worldwide. A country or territory's score indicates the perceived level of public sector corruption on a scale of 0 (highly corrupt) to 100 (very clean). A country's rank indicates its position relative to the other countries in the index (TI, 2016).

Meanwhile, Press Freedom Index (PFI), which is submitted by Reporters Without Borders, provides the degree of freedom available to journalists in 180 countries is determined by pooling the responses of experts to a questionnaire devised by RSF. This qualitative analysis is combined with quantitative data on abuses and acts of violence against journalists during the period evaluated. The criteria evaluated in the questionnaire are pluralism, media independence, media environment and self-censorship, legislative framework, transparency, and the quality of the infrastructure that supports the production of news and information. Countries have been given scores ranging from 0 to 100, with 0 being the best possible score and 100 the worst (RWB, 2019).

For more accurate analyzing of relation between these two variables, this paper takes into account data for 16 years (from 2002 to 2018, but excluding 2011 due to the unavailability of the data), and it is provided in the table below:

Year	PFI	CPI
2018	41.71	49
2017	43.24	48
2016	44.49	48
2015	42.07	53
2014	40.42	49

2013	38.57	45
2012	56.8	48
2011	–	–
2010	37.0	47
2009	31.88	50
2008	36.0	51
2007	40.21	47
2006	27.5	53
2005	24.0	57
2004	39.13	53
2003	37.0	46
2002	33.5	45

The equation of the regression line (can be done in 4 steps):

Step 1: Find  $X \times Y$  and  $X^2$  as it is done in the table below:

X	Y	$X \times Y$	$X^2$
49	41.71	2043.79	2401
48	43.24	2075.52	2304
48	44.49	2135.52	2304
53	42.07	2229.71	2809
49	40.42	1980.58	2401
45	38.57	1735.65	2025
48	56.8	2726.4	2304
47	37	1739	2209
50	31.8	1590	2500
51	36	1836	2601
47	40.21	1889.87	2209
53	27.5	1457.5	2809
57	24	1368	3249
53	39.13	2073.89	2809
45	37	1665	2025
45	33.5	1507.5	2025

**Step 2: Find the sum of every column:**

$$\Sigma x = 788; \Sigma y = 613.44; \Sigma x \times y = 30053.93; \Sigma x^2 = 38984$$

**Step 3: Use the following equations to find a and b:**

$$a = \frac{\Sigma y \times \Sigma x^2 - \Sigma x \times \Sigma xy}{n \times \Sigma x^2 - (\Sigma x)^2} = \frac{613.44 \times 38984 - 788 \times 30053.93}{16 \times 38984 - (788)^2} \approx 82.803$$

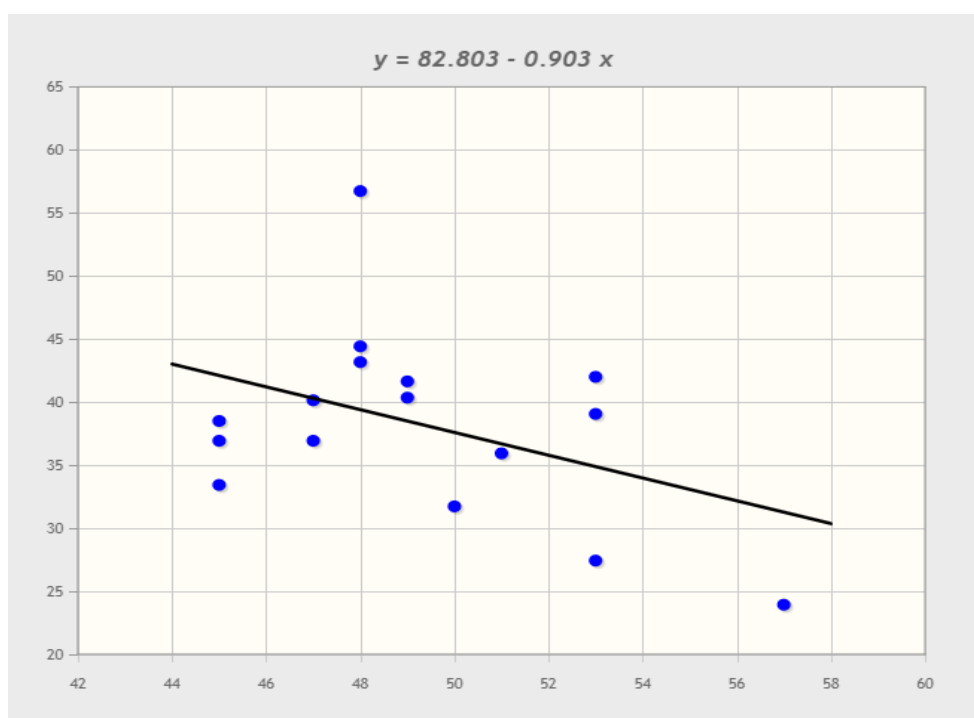
$$b = \frac{n \times \Sigma xy - \Sigma x \times \Sigma y}{n \times \Sigma x^2 - (\Sigma x)^2} = \frac{16 \times 30053.93 - 788 \times 613.44}{16 \times 38984 - (788)^2} \approx -0.903$$

**Step 4: Substitute a and b in regression equation formula:**

$$y = a + b \times x$$

$$y = 82.803 - 0.903x$$

The graph of the regression line is:



The correlation coefficient:

**Step 1: Find  $X \times Y$ ,  $X^2$  and  $Y^2$  as it was done in the table below:**

X	Y	X*Y	X <sup>2</sup>	Y <sup>2</sup>
49	41.71	2043.79	2401	1793.7241

48	43.24	2075.52	2304	1869.6976
48	44.49	2135.52	2304	1979.3601
53	42.07	2229.71	2809	1769.8849
49	40.42	1980.58	2401	1633.7764
45	38.57	1735.65	2025	1487.6449
48	56.8	2726.4	2304	3226.24
47	37	1739	2209	1369
50	31.8	1590	2500	1011.24
51	36	1836	2601	1296
47	40.21	1889.87	2209	1616.8441
53	27.5	1457.5	2809	756.25
57	24	1368	3249	576
53	39.13	2073.89	2809	1531.1569
45	37	1665	2025	1369
45	33.5	1507.5	2025	1122.25

Step 2: Find the sum of every column to get:

$$\Sigma x = 788; \Sigma y = 613.44; \Sigma x \times y = 30053.93; \Sigma x^2 = 38984; \Sigma y^2 = 24354.069.$$

Step 3: Use the following formula to work out the correlation coefficient:

$$r = \frac{n \times \Sigma xy - \Sigma x \times \Sigma y}{\sqrt{[n\Sigma x^2 - (\Sigma x)^2] \times [n\Sigma y^2 - (\Sigma y)^2]}} =$$

$$= \frac{16 \times 30053.93 - 788 \times 613.44}{\sqrt{[16 \times 38984 - (788)^2] \times [16 \times 24354.069 - (613.44)^2]}} \approx -0.4134$$

$$R = -0.4134.$$

The quantity R, called the linear correlation coefficient, measures the strength and the direction of a linear relationship between two variables. In this case, there is average negative correlation: negative correlation is a relationship between two variables in which one variable increases as the other decreases, and vice versa. In statistics, a perfect negative correlation is represented by the value -1.00, while a 0.00 indicates no correlation and +1.00 indicates a perfect positive correlation. So, if the level of corruption increases it influences the media freedom in Jordan and it in its turn decreases, but at the same if the corruption decreases – the level of media freedom vice versa – increases.

The coefficient of determination,  $R^2$ , is useful because it gives the proportion of the variance (fluctuation) of one variable that is predictable from the other variable. It is a measure that allows determining how certain one can be in making predictions from a certain model or graph. The coefficient of determination is the ratio of the explained variation to the total variation. In other words, the coefficient of determination represents the percent of the data that is the closest to the line of best fit (Khurana, 2017).

Thereby, if  $R = -0.4134$ , then  $R^2 = 0.1709$ , which means that 17.1% of the total variation in Y can be explained by the linear relationship between X and Y (as described by the regression equation).

Thus, this paper states that, although, there are other problems which may affect media freedom in Jordan, but still there is bilateral relation between corruption and media freedom, which directly affect each other: if level of corruption increases, the freedom of media will decrease; and vice versa – if level of corruption will decrease – it will lead to the increasing of the level of media freedom in the country. Meanwhile, media freedom has the same model of impact on the level of corruption.

### **Recommendations**

The global fight against corruption demands collective efforts to weaken corrupt behavior, uncover wrongful doings, and track legal prosecution. The media can support this goal significantly. As with many other societal challenges, the importance of media freedom cannot be overestimated in the fight for better governance.

From the analysis conducted in this paper it can be concluded that corruption and media freedom have bilateral relations and can influence each other. The following are some policy recommendations that address ways that media freedom might be expanded and used effectively against corruption:

1. The first major policy consideration is to tie aid conditionality to the expansion and support of media freedom. It should, however, be a tool to ensure that government officials are taking steps towards better governance, transparency, integrity and long-term economic growth. Some examples of expansion or support of free media could be the use of laws ensuring the freedom of the press, freedom of speech, and protection for journalists and media outlets as conditions for development assistance.

2. Establish a trend of encouraging countries to invest in ICT and media infrastructure, to ensure the mass dispersion of information within a country and to lower the



cost of entry for people, who hope to establish news outlets. Some of the main problems of free media are the lack of reliable infrastructure to ensure news is accessible to the general population at a reasonable cost, and the barriers to enter the market on behalf of entrepreneurs, citizens, and journalists. By looking much more favorably on development projects that propose to invest in these very important components of free media, development institutions could help create a larger incentive for governments to include such plans and potentially receive more funding.

3. Issuance of the Anti-corruption, Integrity and Transparency Law, related to the consolidation of the Anti-Corruption Commission and Ombudsman Bureau, based on standards and principles that guarantee the effectiveness of resources, capacities, independence, and roles, as well as not foreclosing corruption crimes by prescription, in accordance with the best international practices and UN Convention against Corruption (UNCAC).

4. Amendment of the Access to Information Law in a manner that guarantees institutional and continual disclosure of information, concurrently with the amendment of Jordan's Protection of State Secrets and Documents Provisional Law. Failure to access information represents one of the most significant challenges and impediments to an effective NIS.

5. Reform the legal framework regulating civil society, develop real and effective national partnerships for real inclusion of civil society into the national projects, policy and relevant legislation making, and ensuring non-interference in the work of the civil society.

6. Enhance the public sector efficiency, reform the civil service system with a view to overcome the administrative inflation issue, activate the Code of Conduct, strengthen financial and administrative transparency through dissemination of reports and through ensuring the constant availability of all information on the institutional level, and circulate the use of electronic link between all institutions, and to consolidate the employment system for governmental and public positions based on qualifications and competency.

7. Adopt the principle of disclosure in general budgets, present the economic management mechanisms and government procedures related to public debt to the public, benefit from the lessons learned from privatization policies and procedures, and including those in the process of preparing future economic and social policies, as well as adopting financial and economic reform policies and plans that can be executed in a manner that ensures eliminating deficit and indebtedness.

8. Review and amend legislations and policies governing the private sector to ensure the protection of investors and timely decision-making, as well as activating control

over the fight in this sector, and developing a comprehensive national framework for Public-Private Partnership (PPP).

9. Promote the organization of various conferences, trainings and fellowship programs in order to raise awareness and set the agenda on investigative journalism, varying from local to global events. It will also assist in building capacity of journalists, who are interested in investigating corruption cases, and in some situations media staff does not have sufficient support of their media outlet or financial assistance, and the support from fellowships may be the only supportive mechanism for enhancing investigative journalism.

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# Rasheed for Integrity and Transparency (Transparency International-Jordan)



Rasheed for Integrity and Transparency  
Al- Sweifieh, Ali Al Taher St. 22, 2nd Floor  
T. +962 6 585 25 28  
F. +962 6 581 25 28  
info@rasheedti.org  
P.O.Box: 852806 Amman 11185 Jordan  
Website: <https://rasheedti.org>



**رشيد**  
**RASHEED**  
TRANSPARENCY INTERNATIONAL - JORDAN  
الشفافية الدولية - الأردن