The impact of social media on the rights of the accused in Jordan: Does public opinion matter?

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Abstract: This study shows how publishing, commenting, and analyzing crime details via social media can play a role in shaping public opinion and influences the proper conduct of criminal justice. It also discusses the impact of social media on the presumption of innocence, the confidentiality of investigation, and the judge’s emotional conviction by examining the most important cases that Jordan has witnessed recently and have had a wide resonance on social media. In addition, the paper clarifies the legal opinion on the permissibility of publishing and commenting on such issues in Jordanian legislation with reference to some of the relevant international agreements. The author employed the analytical methodology by using the document analysis of official legal documents in relation to social media in Jordan legislations and drew upon relevant international agreements and court rulings for our research. The research concluded that the presumption of innocence and the confidentiality of investigations conducted by the Public Prosecution must be respected, and that everything that might affect the proper conduct of criminal justice should be avoided.

Subjects: Comparative Criminal Justice; Criminal Justice; Media Effects

Keywords: Social media; networks; publishing; public opinion; good functioning of criminal justice; presumption of innocence

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PUBLIC INTEREST STATEMENT

The extensive use of social media has shown an important impact on the rights of accused. It can affect judges' competence to maintain a suitable balance between the rights of accused and the principles of a fair trial. This article explains how the misuse of social media affects public opinion and the justice system. The article will provide an analytical review of social media and explain why the use of social media should be controlled in a way that ensures compliance with legal rules, to avoid potential negative effects on public opinion, and the conviction of judges. The results showed that social media may influence the rights of the accused and an important role in shaping the opinion of the individual and influencing the proper conduct of criminal justice. Moreover, this research concluded that the presumption of innocence and confidentiality of investigations conducted by the Public Prosecutor's Office should be respected.
1. Introduction
Social media networks are modern means which have come to directly contribute to featuring community media, which some describe as a form of popular civil organizations which make it possible to exchange ideas freely and easily on a global scale and in ways that can strongly resonate at the local level. The social media are interactive online applications that have become a growing and successful phenomenon during the last years. Hundreds of millions of people use them. (Vollenbroek et al., 2014).

They significantly helped turn the traditional social hierarchy upside down, as government institutions became less powerful and people more powerful (Al-Debaisi & Al Tahat, 2013, p. 74). Social media networks are characterized by being interactive in nature, difficult to control, used by a vast majority of society, unrestricted by geopolitical borders. In addition, the receiving audience has transformed from mere anonymous users and consumers of the media message to active participants in the formation of that message (Fadel, 2018, p.191).

Modern social media networks also bring more democracy for their users through the free spaces which allow for speech, which have made media freedom an inevitable reality that cannot be ignored. These modern media methods, at the head of which are social networks, have become a necessary part in the lives of individuals, as they have become a link between all state institutions and societal components.

The media is an important part of our daily lives and one of the sources of information that allow people to form an opinion about all issues and problems that concern the nation. Therefore, the most common case that social media deals with is Crime. Nearly 95% believe that media is the main source of information on crimes (Dubois, 2002, p. 34). This is why crime holds a prominent position in the media. Most studies indicate that crime topics occupy between 10% and 30% of the average content in all newspapers (Gardner, 2009, p. 250), not to mention social networks. Users of these networks find crime topics to be a rich informational material, which drives the citizens to express their opinion and publish comments and photos related to the crime.

Most societies, including the Jordanian society, have witnessed a remarkable circulation of crimes topics through social networks, which creates societal and institutional confusion.

At the societal level, the circulation and publication of crimes and the expression of comments lead the public opinion, so that the media momentum and the volume of comments shape public opinion about the person’s guilt or innocence, according to the opinions and comments of the citizen and before the ruling judge condemns them.

What is more, publishing, commenting and highlighting the defendant in the media and through social media networks is considered an assault, on the presumption that the defendant is innocent until found guilty by a court ruling issued by the proper court before which they are being tried, rather than the condemnation of society. Due to the social media, the defendant becomes nervous, stressed, because of the huge amount of comments against them. Additionally, this situation could extend to the victim, witnesses of the crime and also to the judiciary, whether a procurator or a judge. The society has a right to know what is going on in within it, but maintaining citizens’ reputation and honor without influencing the good functioning of criminal justice is what it should be about. If posting and commenting exceeds these legal limits specified by the provisions of the law, then it becomes a crime punishable by law.

This study is an important tool in reducing the phenomenon that our Jordanian society is experiencing: the phenomenon of using social media networks to publish crime news, details of cases before the courts, and to comment on them, especially as such actions have a significant impact on the privacy of individuals and on the criminal justice system, as well as an impact on the trust in the judicial system. Hence, protecting the privacy of individuals and the functioning of
criminal justice, as well as maintaining the trust of citizens in the judicial system, is one of the most important priorities sought by the Jordanian state.

Thus, the objective of the research is to highlight the extent to which the dissemination of crime news and information about cases before the judiciary through social media networks affects the good functioning of criminal justice, especially since this publication is not only limited to the abstract dissemination of information, but also extends beyond that to analysis, commentary and often legal opinions, this leads to confusion among witnesses, defendants, experts, members of civil society and criminal justice agencies.

The issue of social media shaping the mentality of public opinion and its role in influencing the proper functioning of criminal justice begged several questions:

(1) How do social media networks shape public opinions?
(2) How can social media networks affect the proper functioning of criminal justice, whether it be in Jordanian or UAE legislation?

In this paper, the author employed the analytical methodology by using the document analysis of official legal documents in relation to social media in Jordan legislations such as the Jordanian Constitution, Jordanian Cybercrime’s Law, Press and Publication Law, Code of Criminal Procedures, Penal Code and drew upon relevant international agreements and court rulings for our research. The author also carried out an analysis of the literature review regarding this subject. Finally, the author use the content analysis of social media posts by the public on the cases before the Jordanian courts. As was evident from the documents analysis and reviewing related literature, a thematic theme has emerged. Notably, that the public opinion expressed through social media plays an important role in the criminal justice system, in terms of increasing punishment, legal adaptation or even compromising the presumption of innocence and the personal rights of accused persons, especially in cases affecting the important values of society.

It is worth mentioning that the author has analyzed 7 documents: (Teacher’s Union, Tobacco case, Zarqa Child, Head of the Jordanian General Intelligence Department, also the case of the Jordanian Petroleum Refinery, conviction of young man of indecent assault for his mother and Mwqer case.

Furthermore, the cases were selected because the high level of public interest on them as well as they (the cases) were most recent. Facebook was the medium of social media that was chosen because it is the most common outlet that is used in Jordan.

This study discusses both the role of social media networks in shaping public opinion and the negative role of social media networks in influencing the proper functioning of criminal justice.

2. The role of social media networks in shaping public opinion

Regarding the spread of social media networks in all communities and the great role they play in many events, these sites have become the center of attention for all researchers. So, in this research, we will try to illustrate the definition and development of social media sites and their role in shaping public opinion.

2.1. Definition of social media networks

Social media networks are a modern phenomenon that is based on simultaneous or asynchronous interactive relationships utilizing interactive digital communication, during which information is sent and received between two or more parties.

Social media sites are a system of networks in which the subscriber can create their own account, which is classified as second-generation website, and they are called “social” because
they come from the concept of community building. Subsequently, the user can identify people with common interests through the Internet, learn more about areas of interest to them and share their photos and memories with individuals and groups (Abu Sharia, 2013, pp. 7–6).

Social media networks can also be known as a social café where meetings are held among some individuals to exchange information among them, with the difference between a real coffee shop and a technological café being that you can carry this technological café wherever you are (Dhiaf, 2009; Rahomh, 2007, p. 75). Social media networks create an atmosphere of social gatherings through the internet where their users can hold discussions and opinions within an open time period, and a good human feeling, at a specific framework (Dijick & Poell, 2013). Marsa Mushri defines digital social media networks as a group of social identities created by individuals or organizations that have ties as a result of social interaction, represented by the structure or dynamic form of a social group. Indeed, it is created to expand and activate professional relationships or friendships. In addition, digital social networks are known with several labels such as: Web 2.0. Social Media digital networks, social networks, social media and social networking sites. Since social media is a dynamic social environment formed by summits and parties, where summits refer to people or organizations linked to each other by social interactions, forming an online community, searching for each other through their own separate spaces (Games, Entertainment, Business, other fields). In them, the individual feels that they are the focus of the group’s attention, which is called digital individuality in the network, and which generates a sense of familiarity or social intimacy (Marshi, 2008, p. 159).

Social media networks are characterized by offering feedback, sharing, and information sharing services to access and make use of the content, which is rarely found. Social media has evolved as of global messaging clubs that used to link individual relationships from different countries using standard written messages in online community media.

The advent of the Internet has helped significantly in inventing intelligent applications (Application) that focus on building social networks among individuals of common interest, with each person having its own personal file and allowing users to share ideas, opinions, and activities within their personal networks. One of the first attempts to engage sites in popular cultures is (Compuserve) and the website (Prodigy), but they were slow and expensive, so as the Internet spread with the availability of electronic services, chat systems began to spread among users, such as AOL, and then the website Napster appeared, which facilitated the exchange of free online information and music, and became the main source of media distribution (Sundheim, 2011).

In 1995, the first social media website appeared in America among school students and was called “Classmates”; and in 1997 another social media website site appeared called Sixdegrees.com. At the beginning of 2002 the website Friendster.com appeared and the website skyrock.com, too, followed by myspace.com, and linkedin.com, (its users reached 250 million in 2012). In 2004, the great surge took place with the launch of the most popular sites on the local and international level which are facebook.com and twitter.

2.2. The relationship between social networks and the shaping of the public opinion

The formation of the public opinion of individuals derives from human nature, which is that “man is social by nature”, looking for cognitive relationships by which he could be affected or influenced. No one can move away from his interaction with his counterpart, and therefore the knowledge and progress of civilization have come to all peoples of the earth through exchange of ideas and opinions and brainstorming. Whereas the Greek civilization was also affected and influenced by other civilizations, since the Islamic and Western civilization was never closed in on itself either, but rather interacted with the civilizations that preceded from which it took what is useful to societies and peoples and dropped the bad (Owais, 2012, p. 22). Human civilizations include spaces of convergence and cross-fertilization, spaces that are clearer on the physical side, unlike the moral side, or “culture”; as it would be a field of excellence, and rarely being lower than others.
One of the jurists explained that he likened successive human civilizations to “layers of the earth,” explaining that the earth is just like a layer upon a layer, so the path of civilization consists of a civilization followed by a civilization; builds on and benefits from it (Muonis, 1998, p. 22).

2.2.1. Theoretical framework
The Arab sociologist Ibn Khaldun mentioned in His Muqaddimah (Prolegomena): The man is by nature a social creature as well … This means that the man is instinctive to live with the group and interact with others, as he cannot live alone in isolation … no matter what comfort and luxury he has. Also, the word “man” came from “mankind” … i.e. He socializes, lives and coexists with those around him … This coexistence results in an exchange of ideas, cultures, customs and beliefs … He benefits from them and they benefit from him. Thus, the human personality is formed through a combination of various social-cultural—human—scientific and practical experiences and skills (Wafi, 2006, p. 230). Before the technological revolution that our world is witnessing, the interaction and the formation of the individual’s mentality in traditional societies took place through direct contact with thinkers and opinion-holders in lesson circles and academic institutions. Thus, influence was limited to the being the recipient of ideas, whereby the individual did not have any viewpoint on this information and had no interactive role in formulating an individual mentality in societies. Due to the technological development and the digital information revolution, social media has become a major contributor in creating an individual’s mentality in societies as well as shaping public opinion in society. For this reason, the aforementioned means were able to attract many of the more mature groups once it became a first-class media outlet, especially after it played a prominent role in spreading the news, influencing the feelings of the masses and shaping public opinion (Dijick & Poell, 2013).

Public opinion is defined as the goal or main idea prevailing among a number of people (who are linked by a major interest) towards a situation, an act, or a public issue that arouses people’s interest or is related to their common interests. Social media networks have transformed from the main goal for which they were found—which is social integration by learning about the cultures and interests of others by communicating with others in a welcoming place for comments and observations—to forming the mentality of individuals in society regarding a specific issue. This accounts for its use by all groups of society (Freeman, Halliwell, Freeman, 2013). It can be said that the large number of comments and observations on a particular issue and its transmission in the virtual world (via social media) prompts decision-makers to find out about this issue in the real world, scrutinize it, and know whether it is true or not (Kwon et al., 2013).

Criminal cases have a prominent role in the citizen’s interest, writing notes and comments, and agitating and shaping public opinion around them (Abdel Halim, 2009, p. 31). It could be stated that social media has come to play a great role in mobilizing opinions by focusing on narrating certain facts and detailing them with sound, image and word, which was often a prelude to an actual movement outside the virtual framework of these networks.

2.2.2. Aspects of social media’s impact on shaping public opinion
The method of continuous and repeated presentation of a specific issue through social media as well as visible and invisible media networks is one of the best methods adopted in shaping local, regional and international public opinion (Mohammad & Awad, 2021). Repetitive presentation and circulation of the issue brings it out of oblivion to the realm of reality where the citizen lives, a realm which he cannot deny or forget, therefore forcing their mind to think, express an opinion and interact with it. This is what happens with the issues that we see every day. Jordan has recently witnessed many cases related to corruption and the corrupt, one of the most important cases that the Jordanian street interacted with was the arrest of the former Head of the Jordanian General Intelligence Department, (General M.D), on charges of money laundering, breach of trust and exploitation of his job position. The Jordanian street interacted with it, demanding that a deterrent punishment be imposed on everyone who commits such crimes as they harm the national economy. On 11 November 2012, Amman Criminal Court sentenced him to 13 years imprisonment, a fine of JD 21 million (about
30 million US dollars), and confiscation of the value of embezzled funds of JD 24 million (about 33.8 million US dollars) after convicting him of money laundering, embezzlement, and grafting.⁴

There was also the case of the Jordanian Petroleum Refinery⁵ in which the former chairman and CEO of the refinery, who was also the cabinet economic advisor and a famous businessman in Jordan was accused of charges of corruption, embezzlement and bribery in order to expand and modernize the Refinery, a project whose estimated value was 2.1 billion dollars. It was considered one of the economic crimes that have greatly damaged the Jordanian economy. On 7/6/2010, the State Security Court issued its verdicts against the four defendants by placing them in temporary hard labor for three years.

The Jordanian community also interacted a lot on the corruption case known as the “Dead Sea Casino”⁶ the facts of which are, in brief, that by the end of 2007, an agreement was signed with a company to set up a casino in the Dead Sea. This agreement was based on British rather than Jordanian laws which means that it was dictated on the government according to the British law, not the Jordanian law. The big scandal was that there was a penalty clause in the agreement worth 1.5 billion dollars that the government will pay in case it withdrew from the agreement within a period of 50 years. The media leaked the scandal and it received great resonance by the Jordanians. To avoid the penalty clause, the next government withdrew from the agreement and granted the investor tens of acres of Dead Sea land area in exchange.

Because of the many corruption cases that the Jordanian society has witnessed, the mindset of the Jordanian citizen is that all those in charge of running the state’s business are corrupt (this contradicts truth and logic). Even though there are corrupt people, there are also honorable men who are far from corruption, trying hard to fight corruption. However, the citizen’s mentality has been only accepting of the idea of corruption due to the intensity of continuous publication and the highlighting of the negative aspects, corruption and criminal cases.⁷ Now, we wonder about the impact of public opinion on aspects of justice in forming the mentality of the criminal judge and all parties to the criminal case. On the one hand, it is proven that publishing with the aim of forming public opinion to combat corruption assists the judiciary in knowing some details regarding certain cases and achieving justice constitutes a positive aspect of publishing. On the other hand, it constitutes pressure on the judiciary and on all the criminal case parties. Therefore, we will try to find out the impact of what is published on social media about the proper conduct of criminal justice.

2.3. Limits of permissibility for publication on social media networks
Modern means of communication have recently directly contributed to the emergence of societal media which some people describe them as a form of popular civil organizations that allow the exchange of ideas freely and easily on a global scale and in ways that can reverberate a lot at the local level. These methods have helped significantly to turn the traditional social hierarchy upside down where government institutions have become less powerful and the people more powerful. Also, these media provide greater democracy for their users by offering them the chance to exercise their right of freedom of opinion and expression. This has made media freedom an undeniable and unignorable reality. The right to freedom of opinion and expression is permitted for all citizens: it is a constitutional matter and guaranteed as well. The Jordanian constitution guarantees the protection of the media, the press, the websites, and the freedom of opinion and expression for every citizen. Article 15 of the Jordanian constitution stipulates that “1- The State shall guarantee freedom of opinion; and every Jordanian shall freely express his opinion by speech, writing, photography and all other means of expression, provided that he does not go beyond the limits of the law. Thus, we find that the Jordanian constitution guaranteed for the citizen freedom of opinion and expression and not to prosecute him criminally unless he has issued what constitutes a crime in the law.

Likewise, Article 3 of the 1998 Law Amending the previous Press and Publication Law states that “The press and printing are free and freedom of opinion is guaranteed to every Jordanian.
Jordanians have the right to express their opinion freely through speech, writing, photography, drawing, and all other means of expression and information.

Article 4 of the same law also states that “The press shall freely exercise its task of presenting news, information, and commentaries and shall contribute to the dissemination of thought, culture, and science within the limits of the law and within the framework of preserving public liberties, rights and duties as well as respecting the private life of others.

However, the legalization of freedom of expression and opinion is not absolute. With reference to the above articles, we find that the Jordanian state has established a constitutional obligation to guarantee freedom of opinion and expression for Jordanians. However, the constitution stipulates that this freedom does not exceed the limits of the law. The Jordanian legislator has set limits on the exercise of freedom of expression and opinion, so that it is not permissible to violate it under penalty of punishment. Among these determinants are: -

(1) Defamation, slander, and contempt for individuals and state institutions
(2) Using the information network to spread any terrorist acts or promoting the ideas of any terrorist group or exposing Jordanians or their property to the risk of hostile or retaliatory actions.
(3) Insulting any foreign country, its flag, or its president
(4) Publishing anything that contains insulting or insulting a religion, or what constitutes insulting to religious sentiment and belief, or stirring up sectarian or racial strife.
(5) Broadcasting any false or exaggerated news that undermines the prestige of the state.

With reference to what we have said above, we find that the Jordanian legislator tried to create a kind of balance between the right to opinion and expression for citizens and the right to respect the privacy and reputation of individuals and not to use this right to trespass the rights and freedoms of individuals.

In Article 8 of the Information Systems Crimes Law of 2010, the Jordanian legislator stipulates that “whoever intentionally sends or publishes data or information via the information network or any information system that involves defamation, slander or insult to any person shall be punished with a fine of not less than 100 dinars and no More than 2000 dinars. “ Likewise, Article 11 of the Cybercrime Law No. 27 of 2015 indicates that “Anyone who intentionally sends, re-sends or publishes data or information via the information network, websites or any other information system that involves defamation, or insult to any person shall be punished with imprisonment for a period of not less than three months and a fine of not less than 100 dinars and not more than 2,000 dinars. “

3. The negative role of social media networks in influencing the proper functioning of criminal justice
The repeated publication of some crimes creates a dangerous social dimension in the mindset of the individual and the group if it is to form public opinion, as publishing to form public opinion sometimes constitutes pressure on the judiciary and all parties to the criminal case. For this reason, it may sometimes constitute slander against the presumption of innocence or it may push the criminal judge to move away from the principle of impartiality and independence.

3.1. Affect the presumption of innocence
There is no doubt that a person is born free, having a free opinion and body, without any concerns. Therefore, on the criminal level, a person is born innocent, in harmony with an individual's original innocence, unless proven otherwise (Al-Qahwaji, 2002, p. 310). This is what was recently called the principle of the presumption of innocence, as this principle laid a basis for protecting the personal freedom of the defendant, as well as being the main pillar and base of procedural legitimacy.8
What is meant by this principle is that the accused, no matter how serious their crime is, and no matter how dangerous they are, is innocent until proven guilty according to the law. Accordingly, they must be treated as innocent people, not convicted defendants, until the court rules that they must be indicted by a decisive and final judgment.

The accused does not have to prove their innocence if the Public Prosecution is unable to establish evidence.

Likewise, this evidence must be firm and decisive, by means of which the trial judge shall be convinced (Awad, 1988: 109).

The Universal Declaration of Human Rights and international conventions came to confirm this principle by saying that the accused is innocent until proven guilty by a legal trial in which the legal guarantees are secured for his defense (Kalzi, 2007, p. 148). In Article 7 of the Declaration of Man and of the Citizen Rights proclaimed by the French Revolution of 1789, stipulated that every person is presumed innocent until sentenced as a guilty. Likewise, Article 11 of the Universal Declaration of Human Rights of 10 December 1948 stipulated that “every person accused of a crime shall be considered innocent until proved that he committed it legally in a public trial in which all the guarantees necessary for his defense were provided.”

Then, the European Convention on Human Rights (1958) confirmed this principle in Paragraph 2 of Article 6, which stipulates that every person accused of a crime is considered innocent until legally proven guilty. Paragraph 1 of the aforementioned article indicated that journalists and the public may be prevented from attending all or some of the sessions according to the requirements of public order. The international community has unanimously adopted the principle of the presumption of innocence in Article 14 of the International Covenant on Civil and Political Rights of 1966, which stipulates that everyone accused of criminal charges has the right to be considered innocent unless his guilt is proven in accordance with the law. The Jordanian legislator approved the principle of the presumption of innocence that the accused is innocent until proven guilty by a final judgment, a constitutional principle that may not be overridden or violated.9 This principle has also been included in the Code of Criminal Procedure, to demonstrate that the Jordanian legislator is looking for the consolidation and application of this principle, since Article 147, paragraph 1 of this law stipulates that the accused is innocent until proven guilty. Moreover, paragraph 4 of said article also states that if the evidence is not given regarding the incident, the judge shall decide the innocence of the accused, suspect, or defendant of the crime ascribed to him.10

From this principle, it is established that at all levels of the justice systems dealing with the defendant shall be done pursuant to said principle, and that behavior shall be based on the fact that he is innocent, so that he shall not be subject to humiliating or degrading treatment during his investigation and trial (Al-Sharif, 2002, p. 445). That is why we must avoid any suspicion that affects or causes prejudice upon this principle, in order to preserve the dignity and existence of the defendant. Because of social media networks and what individuals circulate through these networks of publishing and commenting on news related to the defendant directly, the presumption of innocence is affected so that the person is convicted by society and is dealt with on this basis.

However, not every socially condemned person is necessarily legally guilty, and not every legally innocent person is socially innocent. Since social innocence is when a person has not committed acts or behavior that are inconsistent with the values and morals prevailing in society, even if they do not lay under any criminal text. Therefore, someone is said to be innocent, and it is inconceivable that he would commit such acts, and this is called the popular aspect of innocence. “There is no smoke without fire”, the prevailing perception and the general public belief is what determines a person’s innocence or not. At this point, the problems regarding the presumption of innocence start, due to society and what it circulates through social media networks. The danger
of the media outlets publishing news related to the accusation and the investigation gives the direct impression that this defendant is the real perpetrator of the crime (Al-Sharif, 2002, p. 446; Muhda, 1992). It is also a clear violation of the principle of confidentiality in the investigation, which constitutes the main pillar for preserving the presumption of innocence and dignity of the accused, in addition to preserving evidence of the crime in all its forms.

One of the issues taken up by public opinion in the Jordanian society, which has spread through social networks like wildfire was the smoke case, as local media published photos of the main suspect in what was known as the “smoke” case, after he was arrested wearing prisoner clothing and handcuffs, in violation of the ethical principles of publishing pictures of suspects, defendants and victims in the media, according to professional honor codes. Many jurists and media professionals have indicated that this behavior contravenes the highest principle upon which a fair trial can be based, which is the principle of the presumption of innocence (the accused is innocent until proven guilty by a final court ruling based on assertion and certainty). Therefore, publishing pictures of the accused and taking photos while he is in prison clothes with his hands tied and in a way that shows the state of weakness, he reached is considered an affront to his dignity and humanity. The legal right shall not affect the personal dignity of the person. Assuming that the publication is accepted, then we say it is permissible, but only, firstly—Not to violate human dignity—for example, by exploiting a state of weakness and humiliation, or being in handcuffs- Secondly—The publication is aimed at helping the men of the judicial police to arrest the accused person. Third—This publication shall not affect the course of the investigation and trial. The goal of the security services in publishing these pictures may be demonstrating their ability to arrest the accused in a case which took on a public opinion in Jordanian society. The European Court of Human Rights came to confirm that it is forbidden to publish any image of the accused during the period of his trial, and this ban does not constitute an infringement of the right of the press and the media. The French Court of Cassation in its decision n° 06-10393 issued in 2007 promulgated that the right to photograph is one of the rights granted to the individual under the provisions of Article 9 of the Civil Code to respect his private life and therefore it is not permissible to infringe on it as it is prohibited to broadcast or publish any image of the accused. The subjective handling of issues related to reputation and honor affects the honor of those who were driven by their fate to fall into a problem of which they may be innocent. For example, the case of he who is convicted before the first instance of the court and the news is published with pictures in all different media, then he is acquitted after that, before the second instance court of appeal takes place. So, whoever rejects the psychological and moral harm that occurred on these people after defaming their reputation, and whoever wipes out what has been spoiled by the media as a result of haste. To do so, frameworks must be created through which the issue of publishing is legalized in a way that serves the interest of the parties to the case and does not harm them.

3.2. **Influencing the confidentiality of the investigation**

The secrecy of the investigation is an important principle and major necessity in criminal cases, as well as being one of the important characteristics that the primary investigation has (Al-Gharib, 1998, p. 161; Awad, 1999). This principle is intended to conceal the course of the investigation from public view, so that only those who have a relationship with this investigation or who have the right to be informed of the investigation may be informed. It is not permissible for the public to attend the course of the investigation or be informed of what is taking place, except for those people who have the right to be informed (Ghanem, 1993, p. 193; Mustafa, 1988). Confidentiality begins from the start of the investigative procedures carried out by the judicial police officers, including preliminary inquiries and primary investigations, such as questioning, hearing witnesses, collecting evidence, seizing or inspecting people and residences, as well as the decisions of the Public Prosecution in facing the primary investigation, such as an indictment. Then, confidentiality ends as soon as the criminal case comes before the judiciary to conduct the proceedings, whereby publicity becomes the principle and the exception is confidentiality.

Given the importance of secrecy in the primary investigation, criminal legislation has been keen to refer to it in the investigation of procedural text. In Jordanian legislation there is no explicit
provision on the confidentiality of the preliminary investigation as indicated in the text of Article 67 of the UAE Criminal Procedure Law, but we can conclude confidentiality from many legal texts, the most important of which is referred to in Paragraph 1, Article 64 of the Jordanian Criminal Procedure Law, which states that “The defendant, the person responsible for money, the personal claimant and their attorneys have the right to attend all investigation procedures, except the hearing of witnesses. Also, Article 14 of the Law on Violating the Prohibition of Courts of 1959 states that “the publication of a confidential investigation: Whoever publishes in one of the aforementioned methods of publications in connection with an ongoing criminal investigation shall be punished with imprisonment for a period not exceeding six months and a fine not exceeding fifty dinars or one of these two penalties.” Article 225 of the Jordanian Penal Code as well, which devotes a special provision to maintaining the secrecy of the investigation, the trials of the secret sessions, the defamation proceedings, and every trial that the court prohibited from publishing.

The reason for confidentiality lies in protecting the interest of the investigation on the one hand, and protecting the innocence on the other hand, in avoiding exposure of the accused person and his reputation and avoiding influencing witnesses (Biolay, 1989, p. 202; Cass. Civil, 2013). It is not permissible to interfere with the investigation process by publishing it to the public, commenting on it, expressing observations, and turning it into informational material for individuals to share on social networks.

Individuals publishing the investigation course in a heavy and continuous manner through these networks and commenting on them poses a grave danger to the freedom and reputation of individuals whose destinies have led them into the courts as a result of the error of others or of injustice, and after the truth becomes clear to the judges (Merle & Vitu, 1998, p. 387).

The publication of any information related to a criminal action that is still at the level of the investigation and has not yet been decided upon is an unsuccessful interference by social media in the judicial course, but more than that, it is a clear violation of the good administration of criminal justice and of the investigation. This is a great danger to the accused whose life or money is dependent on the publishing of an article or commenting on it by individuals who are only trying to satisfy the curiosity of public opinion, to learn more details about that crime and its ugliness and about the accused’s crime and description.

The disclosure of news of the investigation by the persons entrusted with it or other curious persons before its completion and discussion of its results in a public session will nullify the rationale behind it, which is to spare the accused a preliminary trial, to preserve his honor and reputation, on the one hand, and on the other hand, to preserve the investigation procedures and track the truth, by not giving anyone the opportunity to dispel persuasion documents.

Likewise, the publishing of the details of the crime and its circulation clearly affects the witnesses in that case. If the crime is circulated in a specific context and takes a social dimension through social networks, the witnesses may find themselves in front of a social tornado that forces them to follow the societal narrative and not what they saw or heard directly. Also, the circulation of the image and the malicious biography of the accused person may cause witnesses’ reluctance to give any information and to go to the court and serve the criminal justice system, and herein lies the problem.

Testimony is of great importance in criminal evidence, and witnesses are the eyes and ears of the court, and it is often the case that testimony during the investigation has a great impact regarding innocence and conviction (Pradel, 2003, p. 351). Also, testimony is an inevitable consequence of what is going on in the human soul of the witness from telling the truth and bearing the result of that, or avoiding the truth and evading everything that may entail something he
cannot bear. Testimony, like all other human actions and behavior, is subject to many concerns, to other psychological factors and more.

Given the importance of testimony, most legal systems have sought to formulate legislative texts and programs to ensure the protection of witnesses and workers in the field of criminal justice in order to obtain their testimony in an objective and correct manner in which justice is achieved among members of society (Maron, 1998; Pradel, 1998, p. 887). The danger of intensive and repeated publishing on social networks on an issue and in a direction different to the truth leads to eradication of the existing knowledge assets of that issue and the substitution of new knowledge assets in place of them, which negatively affects the way the witness thinks about what he received from the information and transforms his conviction and beliefs to different ones.

3.3. Influencing the conviction of the criminal judge
There is no doubt that the more a judge is free from suspicion and away from influences, the more his judgment is fair and equitable. The more the judge is close to formalism, influenced by what is happening in the outside world in terms of news and publication, the more his judgment is unjust and far from truth and justice.

Therefore, all legislation has tried to keep judges away from anything that affects their judgment on the trial case, especially in penal cases, because it has an impact on the freedoms and rights of individuals.

The criminal judge must take a negative position for both parties with regard to proving the case, and he cannot base his conviction except on the evidence presented before him in the criminal case (Blitsa et al., 2015).

The purpose of the trial and the conclusion of the criminal litigation is to reach the truth and form the doctrine of the criminal judge by means of studying the facts and evidence, and via the judge’s conviction of the occurrence of the crime, the establishing evidence and validity of the accusation. In addition, he shall enforce the legal text that he deems valid and which allowed him to extract the correct picture of the case’s incident, from this evidence and its assessment (El-Desouki, 2016, p. 453). Therefore, the judge’s conscientious conviction is very important in order to reach the truth and justice (this means the conscious state of mind of the judge). It is a logical scientific outcome that is evoked by the facts of the criminal case inside the judge mind, so that his memory is activated to invoke the legal rules with exemplary facts that are likely to coincide with the facts of the case, the nature of this case depends on the outcome of the matching process between the two facts; the judge’s conscience may satisfy and be convinced without any doubt that the facts have been proven against the accused and his responsibility for them has been proven. Or, he may doubt this and thus satisfy his conscience or be convinced that the facts do not occur or that the accused is not responsible for them at all.

The criminal judge searches for the realistic truth through conscientious conviction with the judicial truth, as the real truth is not revealed on its own, but rather comes as the culmination of a hard effort and a long systematic and organized search. Researchers and jurists have expressed this in a sarcastic phrase, “The truth does not wait for someone to discover it as America waited. Christopher Columbus, it lies scattered in the depths of the well. the one who gathers it with difficulty and effort will discover it.” (Malo, 1980, p. 11).

Here, we wonder how the conscience of the criminal judge could possibly be sound if the public opinion formed by social media differs from its orientation, as the public opinion is the judgment that the group reaches regarding a case after some consideration. We know very well that social media has come to play a big role in directing the policies and decisions of states, and the judiciary is only part of the state system.
The truth is that public opinion on an issue and the comments, publishing and giving notes of social media users have what they fear (Al-Burai, no year of publication: 70). The general opinion is not a passing opinion that seeks to compromise in order to achieve some gain. Its contents are often based on what results from the conscience on this or that issue.

In no way can a judge be stripped of his influences and influential characteristics. As for the judge, he rages and is affected by what is happening around him in society in terms of events, publishing, and comments on a case (Miller, 2012). The judge, like other individuals and as a part of society, is affected by what is circulated through the media and social media.

Publishing sometimes constitutes a direct impact on the court’s panel and its conviction through the vast amount of opinions, comments, notices, and, creating an atmosphere for dialogue and seminars through social media, and this creates pressure on the court’s panel when establishing its ruling.

Therefore, all legislation incriminates any act that would influence the judge’s belief in order to ensure the proper functioning of justice and the impartiality of the court. French legislation has gone further to ensure the proper functioning of criminal justice and to avoid the influencing of the judgment from any outside source, pursuant to Article 353 of the French Criminal Procedure Law referred, which obliges the president of the Assize Court to announce the following statements to the jurors before they enter the deliberation. It is announced in clear and large handwriting in a visible place in the deliberation room: “The law does not care about the means by which the judges were convinced, and did not specify rules for them to convince them of the sufficiency of the evidence, but rather they must ask themselves in silence and meditation, and search in their consciences about the impression that the evidence introduced against the accused made on their mind, the means of his defense, that the law does not direct them except the following question, which contains all the limits of their duties: Do you have an inner conviction?”

Let us put an important question here, as what is published on social media has nothing to do with affecting the judge’s sentimental conviction and belief upon establishing his conviction judgment. Does the publication have any correlation with reducing or increasing the punishment?

After examining the websites, we found that there are some cases that occurred in Jordan and took a widespread resonance in the community and which were circulated by members of society, in such a manner that it became a public opinion issue—such as the issue of smoke, for example, or the recent murder in the city of Mwqer and many other cases, such as the case of a city boy Zarqa, which shook Jordanian public opinion and ignited social networking sites in Jordan, Arab and foreign countries, demanding the implementation of the maximum penalties against the perpetrators of this crime. This crime is summarized in the fact that a group of individuals in the city of Zarqa kidnapped a 16-year-old boy, cut off his hands and popped his eye.

A video of the boy with his hands cut off, crying and in pain, was circulated as all members of the Jordanian society and the Arab world interacted with it, demanding the implementation of the maximum penalties for the perpetrators who kidnapped the boy and cut his hands off. The Jordanian monarch, King Abdullah II, followed the details of the incident until the moment of the arrest of the perpetrators as well. The King affirmed the need to take the most severe legal measures against criminals who commit crimes that terrify society, pointing out the importance of citizens enjoying security and stability.

“The king directed those concerned to provide the necessary treatment for the victim.”

I think on the assumption that the publication and circulation of crime news do not affect the criminal judge when ruling the conviction, but the Public Prosecution may be affected when it adapts the offense to be attributed to the accused, and the criminal judge may be clearly affected.
as well, when giving the accused the punishment, as many of the crimes have no death penalty or life prison, but rather with prison from—to, or imprisonment from—to, or with a fine.

Sometimes, this is what makes the judge take into account the impact of this crime on society and on public peace and tranquility, and the judge cannot remove himself from the world of society, for he is ultimately a member of this society, and when he witnesses the volume of circulation, publication and the many comments that demand the maximum punishment for the perpetrator of this crime or that, it is my perception that the judge finds himself drawn to the society’s desire for revenge and for the resetting the balance of justice.

As an example in support of what we say, the Emirate of Ajman in the United Arab Emirates witnessed a murder in which two young citizens were killed as a result of a quarrel by three young men with the nationality of Comoros, where the accused used machetes, swords and a white weapon in the fight, which resulted in the killing of the citizen (SR 26 One year) after he was stabbed. The citizen (J.H., 22) died from being run over, while he was crossing the road trying to escape from the fight, and another Comorian national was seriously injured as a result of being stabbed.

Citizens and residents demanded an increase in the punishment against the accused, while lawyers demanded tighter legislation against precedents and their removal from the state, and the application of the death penalty against those accused of the crime. They also demanded not to be complacent in enforcing the law regarding anyone carrying a white weapon, attacking the safety of others and terrorizing the security of society. They said that the crime of killing two citizens in a quarrel with the Emirate of Ajman was done with premeditation, because the defendants in the case were carrying swords, machetes and a white weapon in their vehicles before the fight, which confirms that they intended to carry out the attack and kill the victim.21

Also, social media users in Jordan widely circulated the incidents of the assault incident that occurred regarding a young man against his mother, which is considered by the Jordanian society as one of the most heinous crimes and it was demanded that the maximum punishment be carried out, he be removed and executed.

The Jordanian Court of Cassation has ruled to confirm the criminal court’s decision to sentence a young man who indecently assaulted his forty-year-old mother by temporary labour for thirty years by incriminating him with the felony of indecent assault twice, despite the dismissal of the personal right in the case. The appeal of the “felonies” decision was received in accordance with the decision of the Court of Cassation from which “Al Raey” obtained a copy.

The High Criminal Court raised the penalty to the maximum limit stipulated by law, and took into account the gravity and ugliness of the act committed, an act which contravenes religion, usages, traditions, and customs. In addition, the court increased the penalty to the maximum against the accused because of the existence of dangerous criminal psychology that was deserving of deterrence, and because of its negative impact on the society, and so that the severity of the punishment acts as deterrent to those who would be tempted to commit such a crime. With regard to dismissing the personal right in the case, the court, with its authority, has the right to take or dismiss it under its discretionary power due to the permissibility regarding dismissing the personal right.22

Among the cases that took on a broad social dimension in the Hashemite Kingdom of Jordan was the case of the teachers’ strike and the decision made by the Administrative Court in Amman to stop announcing the decisions regarding the teachers’ strike in Jordan, based on an urgent judicial complaint submitted by students’ parents against the Teachers’ Union and the Ministry of Education represented by its minister.
This decision came after the teachers’ union council issued a decision to strike, which entered its fourth week. After the issuance of this judicial decision upon urgent request, the social media and the media in the Jordanian society moved on to discussing this decision and to indicating the extent of the administrative court’s authority to consider this request.

All communities of legal professionals, non-specialists, representatives, media professionals and statesmen commented on this decision. Some of them said that the Administrative Court was not competent to consider this request, and that the case should therefore be rejected, and some of them said that the Court was competent to consider this request, and each of them made their case based on legal texts and judicial jurisprudence.

On 9/29/2019, Al-Mamlaka Channel in Jordan and the Voice of the Kingdom program prepared by the journalist Amer Rjoub witnessed a discussion panel regarding the teachers’ strike, and the session took place with the legal advisor of the Teachers Union and the representative head of the parliamentary legal committee in the House of Representatives. During this episode, the representative spoke: “I agreed with the legal advisor of the Teachers’ Union, that we are proud of and respect our judiciary. It is independent, impartial, and we cherish all the judgments issued by the courts. These decisions are enforceable, and no party, person, or body has the right to evade implementing judicial decisions. And the judicial decision, when issued, expresses the disputed truth.”

And when asked by the presenter of the program about the extent of the administrative court’s competence to consider this request, the representative went on to say “When we talk about the details of a case pending before the judiciary, we do not have the right to deliberate or discuss as it is pending, still under consideration before the court, and the lawyer can raise his defenses. That speaking and commenting on decisions regarding a pending issue is not permissible”.23

And here is the focus of our discussion: the act of prohibition from commenting and searching for the details of a case which is pending before the judiciary embodied by the words of the representative—head of the Parliamentary Legal Committee –, that it is out of respect for the judiciary and the need for the judge's conscious conviction to be formed in the face of the case before him, away from the discussions that take place here and there, the comments, and expressions of opinions, but stemming from the facts of the case, the evidence presented in the case, and the legal grounds instead.

4. Conclusion

(1) Social media networks have become an important and key position in our daily life, as they create an atmosphere of social gatherings through the Internet, whose users can hold discussions and express opinions within an open time period, and a good human feeling, at a specific framework. Crime has one of the highest rates of circulation through social networks, and the continuous publication and commenting of specific issues through these networks is one of the best methods adopted in forming community public opinion. It has come to play a great role in mobilizing minds by focusing on narrating certain facts and detailing them with sound, image and word, which was often a prelude to an actual movement outside the virtual framework of these networks. The impact of social media was clear on shaping the mentality of public opinion through continuous presentation, re-publication and focus on issues of interest to society. This has been proven to us by the interaction of the Jordanian street on the social media networks with many cases such as the “Zarqa Child” case and the “Tobacco” case. The participation of the public accelerated the arrest of the perpetrators of the “Zarqa Child” crime, their accusation of a terrorist crime and trial before the State Security Court. The same thing applies to the “Tobacco” case.
(2) The impact of the use of social networks on the proper conduct of criminal justice was clear during:

(a) Affect the Presumption of Innocence: Circulating news of the crime in detail through social networks by publishing pictures of the accused and the course of the secret investigation directly affects the presumption of innocence, by which the accused is innocent until proven guilty by a final judicial ruling, and it is in violation of the principle of confidentiality of the primary investigation, which is the main pillar for preserving the presumption of innocence, the evidence of the crime and the dignity of the accused. In the tobacco case many jurists criticized the publication of the picture of the main defendant while he was handcuffed and in a position that undermined his dignity.

(b) Influencing the confidentiality of the investigation: Also, it is not permissible to expose the course of the primary investigation, secret trials, and pictures of the accused and of the witnesses by publishing them to the public, commenting on them, making observations, and turning them into informational material for individuals to share on social media. Publishing in this way is an unsuccessful interference by social media in the judicial work, but more than that, it is a clear violation of the proper functioning of justice and of the investigation and therefore deserves punishment. This made the Public Prosecutor in Jordan prevent the deliberation of many cases on social media networks such as the case of the Teachers Union, the case of “Zarqa Child” and the “Tobacco” case as well. This prohibition came to protect the proper functioning of criminal justice.

(c) Influencing the legal adaptation of the crime: It has been proven to us, through the cases that have been discussed, that the Public Prosecution Office considered that the actions of the accused constitute a crime of terrorism, due to the large number of comments on social media networks calling for the execution of the perpetrators of this crime.

(d) Influencing the punishment: The continuous presentation of a particular story through social networks and the demand of society in general to impose a severe punishment against the perpetrator of the crime, pushing the judiciary in certain cases, including the issue of indecent assault referred to on page 19 from research to tighten the punishment against the perpetrator of the crime.

(e) Sometimes publishing constitutes a direct impact on the bench and its conviction due to the huge amount of opinions, comments, notes, and the creation of an atmosphere for dialogue and seminars through social media. Accordingly, this creates pressure on the bench when it is establishing its judgment. Legislation has thus been enacted to criminalize any act that would affect the judge's faith and ensure the proper functioning of justice.

(3) The French legislator guarantees the proper functioning of criminal justice and the avoidance of influence upon the judgment from any outside source, pursuant to Article 353 of the French Criminal Procedure Law, which obliges the president of the Assize Court to announce the following statements to the jurors before they enter the deliberation. It is announced in clear and large handwriting in a visible place in the deliberation room: “The law does not care about the means by which the judges were convinced, and did not specify rules for them to convince them of the sufficiency of the evidence, but rather they must ask themselves in silence and meditation, and search in their consciences about the impression that the evidence introduced against the accused made on their mind, the means of his defense, that the law does not direct them except the following question, which contains all the limits of their duties: Do you have an inner conviction?”

5. Recommendations
(1) Individuals shall refrain from going into the specifics of trial cases before the courts and from publishing them on social networks and expressing legal opinions about them, as this constitutes indirect interference in the judicial course. Also, respect for the presumption of
innocence, humanity and human dignity shall be upheld by not publishing pictures of the accused or commenting on them.

(2) The judge and the member of public prosecution shall be reluctant to participate in social media due to what opinions and comments about a case represent regarding intellectual and mental pressure on them. These are people who are influenced and affected like the rest of humanity and are liable to fall under the influence of suggestion, which corrupt their work and their judgment. The judge is required to get the core of the truth by his judgment. He shall not condemn an innocent or acquit an offender. He should inflict upon the offender the punishment he deserves. The judge is the symbol of judicial justice His pursuit brings justice closer to the truth. The public prosecution member, likewise, when he adapts the criminal incident, he should not be affected by the many commentaries and opinions expressed on the social media about a certain case as the legal adaptation must be based on the documents in front of him and not on what is expressed on social media about a certain case. However, in the “Zarqa Child” case, the momentum of commentaries, interaction and anger the street felt made the public prosecution adopt the criminal incident as a terrorist action and that it will cause panic among the public.

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Notes
1. In this context, for example, Ritu Sharma, an Indian-American human rights activist, says to the Huffington Post: “We do not encourage any actions related to the implementation of individual justice; we seek revenge, we lose our influence, especially the credibility. These social media campaigns provide a means of self-correcting in a democratic way, as the story evades the control of a few people, or people trying to keep it secret.” Our role as citizens is to exert pressure to obtain solutions from the relevant authorities, and not to address these issues personally and directly: “I realize very well that social media alone will not solve all of the world’s problems, but it succeeded, by sheer coincidence and not intentionally at first, in consolidating democracy, education, and justice, both at home or abroad.” she adds. See the website: https://alarab.co.uk/2016/02/social-media-masses-power-capable-to-make-change.
2. This site has divided American society into several states, regions, and the regions to several schools. One can search for the school to which he or she is affiliated and also can find his colleagues and recognizes new friends.
3. The site focused on direct links between people, regardless of their scientific, ethnic or religious affiliation, besides providing the users with a range of services, most notably are creating personal files and sending private messages. This was a first set of friends to open up in social media without borders, however, the site was closed for not being able to fund Services provided through.
4. المرجع 13 عيان للباحث المصري للدراسات الأخلاقية محدد
5. المرجع 13 عيان للباحث المصري للدراسات الأخلاقية محدد
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7. مرجع 13 عيان للباحث المصري للدراسات الأخلاقية محدد
8. The role of the Social Media Networks in shaping the public opinion”. The study examined a number of indicators among which was Google Company’s interest in the Arabic area where the number of users is expected to reach 100 million in 2015. The study emphasized that despite there were only 45 persons in Facebook follow up administration, the number of users reached 5 million people and video uploading reached 24 hours every minute. The number of tweets reached 25 thousand. Thus, social media proved its role as a social and political observer.
9. Jeffrey Ghannam 2011 social media in the Arab world, Center for international media association (Altheide & Snow, 1979, p. 11).
10. Procedural legitimacy means that no action shall be taken against individuals and the accused except under the obligatory legal provision of the law. Therefore, it is not permissible to carry out an arrest, search, or interrogation unless the conditions stipulated in the Code of Criminal Procedure are fulfilled for its establishment. This is completely different from the objective legitimacy related to the legitimacy of crimes and penalties, which means that there is neither crime nor punishment without a legal text. These two laws together constitute criminal legitimacy.
11. Article 101, paragraph 4, of the Jordanian constitution, states that the accused is innocent until proven guilty by a final judgment: The Supreme Constitutional Court in Egypt concluded that the origin of the acquittal is a legal assumption based on the instinct upon nature which man has been brought as he was born free of guilt and sin. So it is supposed that the origin of innocence is still latent in him, accompanying his actions until the trial court overturns a firm and irrevocable judgment on
this assumption in light of the evidence presented by the public prosecution confirming the crime attributed to him in every aspect of it, according to every incident necessary to its establishment. Refer to case No. 5 of the year 15 / constitutional judicial / on 5/20/1995 was published in the Official Gazette No. 23 dated 6/8/1996 referred to on the Internet on the website: www.albahaa.com.

10. If the defendant’s defense is limited to mere denial, then he is not required to establish evidence of his denial or innocence. This is a statement to the principle that “the accused is innocent until proven guilty,” as the presumption of innocence is one of the accused’s guarantees and personal freedoms. The legislator codified it in Article 147/1 of the Code of Criminal Procedure, “if he does not provide the judge with conclusive evidence of the conviction, the judge shall acquit the defendant. This means that condemnation is only based on certainty and assertion. On the other hand, the judge does not require conclusive evidence for the judgment of absolution, but it is sufficient for the judge to question the validity of the accusation attribution to the defendant to rule with absolution and the presumptions of the tâmoirs on the innocence. (Discrimination Penalty 1419 / Date of 11/15/2015—kistas Programs).

11. https://ammanet.net/Reports/publication-photos-of-awni-Motea-incuufs-and-wearing-prison-is-moral-violationhttps://www.alhurra.com/a/Jordan-corruption-that-men-politics-project/?50333.html. https://arabic.cnn.com/business/article/2018/07/26/jordan-cigarette-smuggling-government.

12. La Cour européenne des droits de l’homme justifie l’interdiction de publication de la photographie d’un accusé lors de son procès. Et la décision finale de la cour européenne des droits de l’homme dispose que (Enfin, la sévérité de l’interdiction de publication était, selon la Cour, modérée en ce qu’elle ne portait pas sur le contenu de l’information. Compte tenu de l’ensemble de ces circonstances, la Cour a estimé que le prononcé, par un juge, dans le cadre d’un procès, d’une interdiction de publication de photographies ou de prises de vue, ne violait pas le droit des médias de s’exprimer librement sur une affaire judiciaire en cours. Cette interdiction se révelant même nécessaire dans une société démocratique. Voir https://www.legalre.be/debats/opinions/non-a-l-interdiction-de-publier-la-photo-d-un-accuse-opinion

13. Le droit à l’image est un droit jurisprudiciel qui découle du droit au respect de la vie privée prévu à l’article 9 du Code civil. Ainsi, comme l’indique la Cour de cassation «toute personne dispose sur son image, partie intégrante de sa personnalité, d’un droit exclusif qui lui permet de s’opposer à sa reproduction» (Cass. Civ. 1ère, 27 février 2007, n° 06-10393). Voir https://www.village-justice.com/articles/droit-image-elles-sont-les-regles-applicables,30783.html.

14. Litigants, their attorneys, and witnesses may attend and access the investigation procedures.

15. Le secret de l’instruction résulte des dispositions de l’article 11 du code de procédure pénale selon lequel: «la procédure au cours de l’enquête et de l’instruction est secrète» et «toute personne qui concourt à cette procédure est tenue au secret professionnel». Also, the Egyptian legislator explicitly referred to the confidentiality of the primary investigation in the text of Article 75 of the Criminal Procedures Law, which states that (The investigation procedures themselves and the results that are revealed by them are considered secrets, and the investigation judges, members of the Public Prosecution Office, and their assistants including writers, experts, and others who are related to or attend the investigation by their job or profession, shall not disclose it). Also, Article 67 of the UAE Criminal Procedures Law considered the investigation procedures confidential and stated that. The investigation procedures themselves and the results that are revealed by them are considered secrets, and the investigation judges, members of the Public Prosecution Office and their assistants including writers, experts, and others who are related to or attend the investigation by their job or profession, shall not disclose it. Whoever violates this shall be punished by the penalty prescribed for the crime of divulging secrets).

16. L’article 434–16 du code de procédure francoise dispose que (La publication, avant l’intervention de la décision juridictionnelle définitive, de commentaires tendant à exercer des pressions en vue d’influencer les décisions des juridictions d’instruction ou de juge-ment est punie de six mois d’emprisonnement et de 7 500 euros d’amende. Lorsque l’influence est commise par la voie de la presse écrite ou audiovisuelle, les dispositions particulières des lois qui régissent ces matières sont applicables en ce qui concerne la détermination des personnes responsables.) Any person who publishes comments that exert pressure and influence the statements of witnesses, the decision of the investigation courts, or the verdict before the final judicial decision is issued, shall be punished by six months imprisonment and a fine of 7,500 euros. And in the event that the crime was committed by means of written or audiovisual media, the special provisions in the laws governing these matters shall apply in relation to the determination of the persons responsible.

17. Selon l’article 353 de l’OECE du procédure penale francaise qui dispose que (Avant que la cour d’assis ses se retire, le président donne lecture de l’in-struction suivante, qui est, en outre, affichée en gros caractères, dans le lieu le plus apparent de la chambre des délibérations; sous réserve de l’exi-gence de motivation de la décision, la loi ne demande pas compte à chacun des juges et jurés composant la cour d’assises des moyens par lesquels ils se sont convaincus, elle ne leur prescrit pas de règles desquelles ils doivent faire particulièrement dépendre la plénitude et la suffi-sance d’une preuve; elle leur prescrit de s’interroger eux-mêmes puis le silence et le recueillement et de chercher, dans la sincérité de leur conscience, quelle impression ont faite, sur leur raison, les pre-uvres rapportées contre l’accusé, et les moyens de sa défense. La loi ne leur fait que cette seule question, qui renferme toute la mesure de leurs devoirs: Avez-vous une intime conviction ?).
until the thought of taking the right of retribution from him … “Urge the verdict to prevail security and reassurance prevail in the country … We belong to Allah and to him we shall return.” Likewise, the murder case that took place in North Shauneh in the month of 6/2019, in which a person committed a horrific murder, when he broke into the house of his ex-wife in the afternoon in the North Shauneh area of the municipality of Moaz bin Jabal in the Northern Jordan Valley and stabbed three family members with a sharp object. An informed source clarified that the accident resulted in the death of the mother and daughter and the serious injury of her husband, and they were subsequently transferred to the Moaz bin Jabal Governmental Hospital. According to a medical source for the news source, three cases were transferred to Moaz bin Jabal Hospital after they were stabbed with a sharp object resulting in the death of two and the injury of another, and he was transferred to Princess Basma Governmental Hospital in Irbid. See crime details on Rum Online. Rumonline channel. Also see https://www.jfreanews.com/jmore-5081018.jsf#8 عاجل إصابة في结婚ة البراكينة بين سبـبـ الشروط

19. Among the cases that have taken on a social dimension and formed widespread on social networks for the year 2016, 2015 and 2014 are: 1- The Tabarbour case (a mother who kills three of her children, fails to commit suicide) that took place on 10/25/2014 2- And the Rabieh case (a maid kills her child by the spoon) that took place on 5/4/2015, as well as the case of Al-Ghabawi (a citizen who burns himself, his wife and child with his vehicle) that took place on 10/24/2015, and the Iribid case (the separation of his sister’s head and the killing of her son by stabbing) that took place on 5/11/15/ 2015, and the case of Raj al-Shami (a man kills his wife and shoots his three sons and commits suicide) took place on 2/14/ 2016: https://www.youtube.com/watch?v=F2Jk6_eo_0.

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21. https://www.embassy.evidence.com/local-section/accidents/2018-01-09-1.1060233.

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23. See the “Voice of the Kingdom” episode, dated 9/29/2019, and the guests of the episode, the legal advisor of the Teachers Syndicate, Professor Bassam Fraihat, and Representative Abdul Moneim Oudat—Head of the Legal Committee in the Jordanian Parliament.

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