

## ARAB PRESS FREEDOMS BETWEEN EXTERNAL AND INTERNAL PRESSURE

Why do Arab journalists censor themselves? With Jordan as an example

ARTICLE

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It is well known that the main focus and raison d'être of the work of any serious journalist follows a simple theme: "To know and to let know".

While many good serious journalists in the Arab world are able to know the facts and be confident that they have a well-rounded and balanced professional story, they are often unable to carry out the second half of this theme, to let know.

In this article, we will ask why some journalists, especially in the Arab world, refrain from speaking and writing freely.

The answer to this question is complicated but largely comes down to the fact that committed professional journalists need to make a living. It is hard to be a hero if your stomach is empty and you cannot feed your children. As journalists try to keep their jobs, they start building up internal defenses, thus creating a culture of self-censorship.

According to the 2022 survey of the Amman-based Center for Defending Freedom of Journalists, 93% of journalists reported that they practice self-censorship. This is the highest percentage in the Arab world.

### **Media ownership**

In order to understand this phenomenon, we need to take a wider view of the media industry by looking at three main components: media ownership, media laws and culture, and the enabling environment for independent media.

In terms of media ownership, we need to understand that there are three basic types of media in the world when it comes to who owns and has the last word on the editors, staff and editorial line.

The first and most prevalent type of media ownership is public or state media. In most countries, public service media (usually broadcast) is not supposed to be governmental or commercial. Public service media is funded by license fees and is usually run by a council that reflects the country in terms of ethnicity, gender and political point of view. In Jordan, there are two major

TV and radio stations that are funded by citizens and the general government budget, but their board of directors is appointed by the government and does not reflect the public composition of the country, certainly not the political diversity. These media outlets also sell advertising space to increase their revenue and cover the shortage that they face.

In most countries, the second form of media ownership is usually commercial, which works based on competition with good trustworthy journalism and is supposed to increase sales and therefore ad revenue. But in Jordan, there is a hybrid form of ownership. Public/private ownership mostly toes the government line. The leading newspaper *Al Rai* is run as a commercial company with stockholders owning shares and so on, but the majority shareholder (65%) is the Social Security Agency, which is a semi-governmental agency. Therefore, as it holds most of the stock, the government appoints the management and editors of this and another newspaper, *Ad Dustour*.

There is another form of private-public ownership where the number one radio station is run as a commercial company although it is owned by the army. The second most listened-to station is run by the national police agency. Both radio stations sell advertising and largely dominate radio revenue.

Private commercial media does exist although in many ways its owners are in bed with the government, not because they choose to but because their other private business can be severely hurt if they steer too far from the politically acceptable editorial line. Although they have some additional leeway, they are often totally silent or cover controversial stories only from the government's point of view.

The third form in Jordan is community ownership. We are proud members of not-for-profit non-governmental media, but we face many problems and pressures because of our refusal to toe the government line or to refrain from publishing important stories of public interest.

### **Media laws**

The Jordanian Constitution, and that of most Arab countries, guarantees freedom of expression but puts such a guarantee under the supervision of the usual pro-government legislatures. Hence, a clause on the issue would say something like "freedom of the press is guaranteed in accordance with the law."

In Jordan, Article 15 deals with these issues from different angles: "(i) The State shall guarantee freedom of opinion. Every Jordanian shall be free to express his opinion by speech, in writing, or by means of photographic representation and other forms of expression, if such does not violate the law; (ii) Freedom of the press and publications shall be ensured within the limits of the law; (iii) Newspapers shall not be suspended from publication, nor shall their permits be revoked except in accordance with the provisions of the law; (iv) In the event of a declaration of martial law or a state of emergency, limited censorship on newspapers, publications, books, and broadcasts in matters affecting public safety and national defense may be imposed by law; (v) Control of the resources of newspapers shall be regulated by law.

Whereas the Press and Publications Law regulates the print and electronic media, an Audiovisual Media Law regulates the broadcast media. In recent years, both laws have been incorporated and headed by one person appointed by the government as the director of the Media Commission. While in most countries broadcast media is regulated by a representative public board, in Jordan a government-appointed person has broad powers to issue and revoke media licenses.

Tens of overlapping laws affect the work of the media and journalists. For example:

The Electronic Newspaper Law treats online media like print media. Any website dealing with news and commentary in Jordan must be licensed like a newspaper. They need to hire an editor-in-chief who has been a member of the journalist's union for at least four years.

The Cybercrime Law has undercut many of the rights journalists fought for in protecting the profession and in preventing the government from detaining journalists for their journalistic work. Article 11 of the Cybercrime Law allows the police and attorney general to detain a person, whether a journalist or a regular person, for what they publish online, in an online print publication or social media. Therefore, a journalist can write an article in a print newspaper and face no problems but once that same article appears online the writer could be (and has been) detained for a number of days until a judge decides whether to extend the detention or agree to a release on bail. This detention issue has happened in selected cases, but the damage has been widespread as those arrests have prevented journalists from writing about sensitive topics. Article 11 of the 2015 Cybercrime Law, states: "Anyone who intentionally sends, resends, or publishes data or information through the information network or the website or any information system that involves defamation, slander, or humiliation of any person, shall be imprisoned for a period of no less than three months and pay a fine of no less than JD100 and not more than JD2000."

### **Enabling environment for independent journalism**

In democratic countries, there is a set of institutions and norms that provide a wall of protection for professional journalists. The absence of a democratic environment and supportive institutions has made it impossible for such a protective culture to exist. The most important such institution is the journalist's union. In Jordan, there is the Jordan Press Association, but it is run like the old-style closed shop of the Soviet Union.

The members are largely those working for the government or pro-government press, and most journalists working for independent media face a huge uphill struggle to join. The government gives the union many privileges, including lands to build apartments for journalists, and 1% of all advertisement income goes to the union. The law says that only members are allowed to call themselves journalists, even though today most journalists are members. Almost no journalist working for electronic media has been able to join, yet the law forbids the creation of an alternative or competing union.

Civil society, which is often a strong supporter of a free press, is also weak in Jordan and is always facing existential problems and therefore not able to make a serious contribution.

### **Governments use other means to “encourage” self-censorship**

Self-censorship is encouraged by bureaucratic means, permits, passport renewal, license renewal, tax raids, delays at the airport, rejection in approving foreign funding grants and, of course, rejecting requests for interviews or comments on current issues.

### **Independent journalists fighting self-censorship**

Some independent journalists and publishers have been able to overcome all these concerns. Not-for-profit media journalists and some commercial journalists have some wiggle room to work if the media is owned by a genuine believer in freedom of expression or are able to self-finance a media platform, but still sometimes encounter problems. During the COVID pandemic, a broadcaster and an editor of the Roya TV media group were jailed because their TV station ran a vox pop in which one person said that, as he is suffering so much financially, he is going to steal to live. The government felt that this was inciting a criminal act and held the media owner and editor for a few days to put the fear of God into them.

Despite all the foregoing, journalists are often able to circumvent these restrictions, frequently without using their names. They can be sure that the story is published even if it is done without their byline and often in Arab media in the diaspora.

Finally, although Jordan has had some difficulties in terms of its relations with the media, a new wave of democratic reforms has been worked on in the last year that is supposed to usher in a political change that will gradually move Jordan into a constitutional monarchy within 10 years. If these reforms are honestly followed through, they will have a gradual effect on the media scene in Jordan and might contribute to a lessening of the security grip on it, allowing journalists to write, broadcast and talk about the news they have worked so hard to gather.