

Public Freedoms Index

Jordan 2026 - The Inaugural Edition

Performance Index Center | KAFa'A
Amman, Jordan



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Performance Index Center – KAFA’A was established in 2020 as a pioneering socio-economic development initiative operating under a think-and-do tank model to provide strategic insights and integrated, field-based solutions. The Center's core mission is to empower institutions and enhance the capacity of local communities by promoting the principles of transparency and enabling accountability, while developing sustainable solutions that effectively contribute to building a more just and prosperous Jordan, in line with the national aspirations for comprehensive modernization.

Our work is founded on a firm conviction and evidence-based understanding that genuine and sustainable change begins with empowered individuals who possess the capacity to innovate, and with a sound governance system founded upon full transparency and unrestricted access to information. It is further advanced through the strategic integration of scientific research grounded in data analysis with cross-sectoral, participatory community initiatives. At Performance Index Center – KAFA’A, we also seek to institutionalize a culture of organizational innovation and to promote inclusive growth that ensures the equitable and efficient distribution of the benefits of development.

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Executive Summary

Public Freedoms Index is a national and methodological measurement tool designed to diagnose the state of the civic and political space beyond general perceptions. It is based on a hybrid methodology that integrates the United Nations human rights indicators framework with the methodology of composite international indices. The Index, which measures five key dimensions—freedom of opinion and expression, political participation, the rule of law, the right to peaceful assembly, and freedom of movement—yielded an overall score of **53.9%**, placing Jordan within the “Inconsistent Freedoms System” classification.

This result reflects a state of “fragile stability”: although the State has relatively advanced constitutional and legislative guarantees (structural protection), these are undermined by procedural compliance gaps and a decline in effective safeguards and tangible outcomes in practice.

The in-depth analysis of the Index dimensions reveals a “structural disconnect” and a procedural structural imbalance. While the Rule of Law dimension recorded the highest performance level at **69.8%**, attributed to the existence of a strong constitutional foundation, the right to peaceful assembly dimension recorded the lowest score at **44.7%**, due to administrative restrictions that undermine the substantive exercise of this right. The freedom of movement dimension also demonstrated the widest implementation gap in the Index (**0.33**) between the authority of constitutional provisions and the expansion of administrative measures, such as compulsory residence restrictions.

These quantitative findings confirm that Jordan’s rights framework suffers from a condition of “textual superiority”, whereby rights remain “confined within the realm of legislative commitments.” This requires bridging compliance and implementation gaps through strengthening judicial oversight to ensure the transition of freedoms from static legal provisions into rights that are effectively exercised and sustainably guaranteed.

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1. Introduction

Public freedoms constitute one of the fundamental entry points for assessing the quality of political and civic life in any society. They reflect not only the scope of the rights guaranteed to individuals under constitutional and legal provisions, but also the capacity of public institutions to translate those rights into guaranteed practices, fair procedures, and a public sphere that enables participation, expression, association, and freedom of movement without unjustified restrictions. From this perspective, the study of public freedoms has evolved beyond being a merely descriptive or legal exercise to become a methodological necessity for understanding the relationship between the State and society, and for assessing the extent to which public policies are aligned with human rights obligations and relevant international standards.

The Public Freedoms Index is founded on the need to develop a structured national human rights measurement tool that facilitates a scientific, comparable, and regularly updatable assessment of the state of public freedoms, moving beyond general perceptions or partial evaluations. The Index does not merely document the existence of legal safeguards; rather, it seeks to assess their effectiveness in practice and the extent to which they enable individuals and groups to effectively enjoy their rights in real-world settings. Accordingly, the Index approaches public freedoms as an integrated system comprising the legal framework, institutional procedures, and tangible outcomes, rather than as isolated rights or legal provisions detached from their administrative, political, and social context.

The Index is based on a hybrid methodology that combines the United Nations Human Rights Indicators Framework, which distinguishes between structural indicators, process indicators, and outcome indicators, with the organization, measurement, and aggregation methodology employed by composite international indices. In particular, it draws upon the methodology of the “**Human Freedom Index**” in converting qualitative and quantitative data into standardized scores that can be aggregated and compared. This integrated approach makes it possible to develop an index that preserves the rigor of the human rights framework in defining the substance and essential attributes of each

right, while simultaneously providing a clear quantitative framework for assessing overall performance, calculating the score for each dimension, and deriving the overall Index score.

The importance of this approach lies in the fact that measuring public freedoms cannot rely on a single question or a single data source, as the gap between legal provisions and their implementation may be substantial, and the effective enjoyment of rights is influenced by interrelated legal, administrative, institutional, and social factors. Accordingly, the Index distinguishes between three complementary levels: the level of legal and institutional compliance, the level of efforts or interventions undertaken by authorities and institutions to implement such commitments, and the level of actual impact experienced by individuals when exercising their rights. This framework enhances the Index's ability to identify the precise source of shortcomings—whether in the legislative framework, procedures and practices, or actual outcomes and safeguards.

In its substantive structure, the Index is organized around five principal dimensions that constitute the core public freedoms under assessment: freedom of opinion and expression, political participation, the rule of law, procedural safeguards, the right to peaceful assembly, and freedom of movement. These dimensions were selected because, collectively, they constitute the operational foundation of the civic and political space and are directly linked to the rights protected under the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), as well as to the General Comments issued by United Nations treaty bodies that interpret the scope of these rights and the permissible limits of restrictions upon them. Moreover, these dimensions enable an assessment of the balance between safeguarding public order and meeting the legitimate requirements of public administration, on the one hand, and ensuring the freedom of individuals and groups to express their views, participate in public affairs, move freely, assemble peacefully, and access justice, on the other.

The Index applies a standardised structure to each dimension, ensuring consistency across its components and comparability across different rights. This structure begins by defining the right and its scope, followed

by identifying its international and national legal references and outlining its key attributes. Each dimension also includes areas of focus, data sources, and a dedicated scoring table, allowing findings from focus groups, expert interviews, and documentary reviews to be incorporated at a later stage within a clear framework that preserves the coherence of the methodology. Accordingly, the current text provides an analytical and methodological foundation that can be further developed following the completion of field data collection and the validation of the final results.

The purpose of the Index is not to issue a general or abstract judgment regarding the state of public freedoms; rather, it seeks to provide a diagnostic assessment that facilitates an understanding of performance levels, implementation gaps, and priorities for improvement. The principal value of the Index lies in its ability to translate broad human rights concepts into measurable questions and to convert fragmented findings into a structured analytical matrix that assists policymakers, researchers, relevant stakeholders, and civil society organizations in identifying both strengths and areas requiring improvement. Furthermore, in its first edition, the Index establishes a baseline that can be updated periodically, thereby enabling the monitoring of changes in the legal and institutional environment and the assessment of the impact of legislative reforms and public policies on the effective enjoyment of public freedoms.

The significance of the Index also derives from its direct relevance to the advancement of the governance framework, the rule of law, and public participation. Public freedoms are not an isolated domain separate from development or institutional stability; rather, they constitute a prerequisite for building trust between citizens and public institutions, strengthening accountability, and expanding participation in public affairs. The clearer rights are in law, the more effectively they are guaranteed through procedures, and the more tangible they become in practice, the greater the capacity of both the State and society to manage differences through legal and peaceful means and to transform public participation into a driver of reform rather than a source of tension.

This Index establishes a scientific framework for measuring the level of public freedoms by integrating the international human rights normative framework with the national need for a practical and systematic measurement tool. It aims to provide a more accurate assessment of the state of public freedoms, support evidence-based public dialogue and policymaking, and inform the formulation of actionable legislative, institutional, and procedural recommendations. Accordingly, the Index is not an end in itself; rather, it is an analytical and evaluative instrument that contributes to the promotion of rights, the strengthening of public trust, and the enhancement of public sector performance on the basis of clearly defined standards and robust evidence.

1.1 Index Overview and Strategic Significance

This Public Freedoms Index has been developed in response to the need for a scientific and methodologically robust instrument capable of measuring the state of public freedoms in a manner that moves beyond general descriptions and partial perceptions toward the production of knowledge that is verifiable, comparable, and periodically updatable. As one of the principal entry points for understanding the relationship between individuals, public institutions, and the public sphere, public freedoms cannot be adequately assessed solely through legal texts or through isolated incidents examined outside their institutional and normative context. Accordingly, the need arises to develop a composite index that links the human rights normative framework with the legislative and policy architecture and the realities of implementation, thereby enabling a balanced assessment of the actual level of protection afforded to public freedoms, as well as the strengths and shortcomings of that protection.

The primary objective of the Index is to develop a tool for measuring the level of public freedoms based on a clearly defined conceptual and human rights framework. This framework is translated into dimensions, sub-indicators, and measurable assessment questions that are suitable for practical application. The purpose of the Index extends beyond generating a single aggregate score; it is intended to serve as a diagnostic instrument that facilitates an understanding of the factors influencing the exercise of public freedoms and identifies the gaps between legal provisions, institutional implementation, and actual outcomes. Accordingly, the Index approaches public freedoms as an integrated system encompassing freedom of opinion and expression, political participation, the rule of law and procedural safeguards, the right to peaceful assembly, and freedom of movement. These dimensions do not operate independently; rather, each directly influences the ability of individuals and groups to participate, obtain protection, and access justice.

The strategic significance of this Index lies in the fact that it does not approach public freedoms as an abstract human rights issue, but rather as an entry point for assessing the quality of the public sphere and the

effectiveness of legal and institutional safeguards. While the existence of constitutional and legal provisions guaranteeing rights constitutes an essential prerequisite, it is not, in itself, sufficient to assess the level of protection. The practical value of a right ultimately depends on the clarity of any restrictions imposed upon it, the proportionality of those restrictions, the availability of effective mechanisms to challenge them, the independence of the bodies responsible for overseeing their implementation, and the ability of individuals to exercise their rights free from fear, discrimination, or arbitrariness. In this regard, the significance of the study lies in its shift from the question, "Is the right guaranteed in law?" to the more fundamental questions: "How is the right regulated? How is it exercised? What safeguards protect it? And what outcomes demonstrate the extent to which it is realized in practice?"

The Index provides a structured framework for policymakers, oversight institutions, research organizations, and civil society organizations by offering a multidimensional assessment that supports the prioritization of reform efforts and the identification of areas most in need of review or development. Rather than presenting a general judgment or a descriptive narrative, the Index analyzes each dimension through indicators that can be coded and aggregated, thereby making it possible to identify the sources of progress or decline within each area. The value of this approach is further enhanced by its capacity to support repeated measurement over time, thereby enabling the monitoring of the impact of legislative and institutional reforms, tracking changes in the level of protection and the exercise of public freedoms, and establishing a cumulative evidence base on the state of public freedoms.

The Index derives its methodological significance from integrating the human rights normative framework with the logic of composite indices. On the one hand, it maintains a firm foundation in the human rights standards that define the substance of rights and the permissible limits of restrictions upon them. On the other hand, it translates these standards into an operational measurement framework consisting of hierarchical levels that begin with the principal dimensions, proceed to attributes and sub-indicators, and culminate in measurable assessment questions and corresponding data sources. This integration prevents public freedoms from being reduced to abstract quantitative indicators

while also preventing the analysis from remaining at the level of general discourse that cannot be empirically verified.

2. Index Framework

2.1 Conceptual Framework and the Index's Normative and Human Rights Reference Framework

The conceptual framework and the normative and human rights reference framework constitute the foundation that gives the Public Freedoms Index its meaning and scientific legitimacy. The Index does not measure isolated social or administrative phenomena, nor is it limited to tracking levels of public satisfaction or general perceptions regarding freedoms. Rather, it is grounded in a clearly defined human rights concept of public freedoms that is intrinsically linked to the obligations and standards governing the substance of rights, the permissible scope of their regulation, and the safeguards required for their protection. Accordingly, this section serves as the conceptual bridge between the overall framework of the Index and the methodology for index development and measurement presented in the subsequent sections.

For the purposes of this Index, public freedoms refer to the set of civil and political rights that enable individuals and groups to exercise their legal, social, and political existence within the public sphere in a manner that upholds human dignity and safeguards against the arbitrary exercise of public authority. Within the scope of the present Index, these freedoms comprise freedom of opinion and expression, political participation, the rule of law and procedural safeguards, the right to peaceful assembly, and freedom of movement. These rights are not understood as privileges granted by the State to individuals; rather, they are recognized as inherent rights that the State is obliged to respect, protect, and fulfill in accordance with the rule of law and international human rights standards.

The conceptual framework of the Index is founded upon a distinction between rights, freedoms, and safeguards. A right refers to the legal and normative status through which an individual or group is recognized as possessing a protected sphere of action, participation, or protection. A freedom, by contrast, refers to the effective ability to exercise that right

without arbitrary interference or unlawful restrictions. A safeguard denotes the body of legal rules, procedures, and institutions that prevent violations of rights or provide effective remedies when violations occur. Consequently, measuring public freedoms extends beyond verifying the existence of legal provisions to examining the extent to which those provisions are capable of generating the effective exercise of rights protected by adequate procedural and institutional safeguards.

Public freedoms derive their significance from their direct relationship to the public sphere and their role in enabling accountability and participation in public decision-making. Freedom of opinion and expression extends beyond the mere expression of individual views; rather, it encompasses the circulation of information and the formation of public opinion. Likewise, political participation is not confined to voting on election day, but extends to the ability to organize, stand for election, and influence public affairs. Similarly, the rule of law and procedural safeguards do not constitute a dimension separate from public freedoms; rather, they represent the institutional condition that prevents those freedoms from being restricted arbitrarily. In the same vein, the right to peaceful assembly constitutes a form of collective expression, while freedom of movement is a practical prerequisite for exercising a wide range of rights and accessing services, opportunities, and remedies.

The human rights reference framework underpinning the Index is founded upon the general principle that human rights are universal, interdependent, interrelated, and indivisible, and that the practical realization of civil and political rights cannot be separated from the conditions necessary for the rule of law and effective institutional safeguards. The Universal Declaration of Human Rights (UDHR) enshrines a number of rights that lie at the core of this Index, including freedom of opinion and expression, freedom of peaceful assembly, participation in the conduct of public affairs, freedom of movement, and the right to a fair trial. The International Covenant on Civil and Political Rights (ICCPR) further provides the most comprehensive legal framework governing these rights through its detailed regulation of freedom of expression, peaceful assembly, political participation, freedom of movement, and the rights to liberty, security of person, and a fair trial.

Within the Index, these reference frameworks are not employed merely as general background sources; rather, they serve as normative benchmarks for defining the constituent elements of each right and the permissible limits of restrictions upon it. While certain aspects of civil and political rights may legitimately be subject to regulation, such regulation is considered lawful only where it is prescribed by clear law, pursues a legitimate aim, is necessary and proportionate to that aim, and neither impairs the essence of the right nor renders its practical exercise ineffective. These principles are indispensable to the measurement of public freedoms, as they prevent the conflation of the legitimate regulation of rights with their unjustified restriction.

The General Comments issued by the United Nations human rights treaty bodies provide authoritative guidance on the content of several rights covered by the Index. In General Comment No. 34, the United Nations Human Rights Committee addressed freedom of opinion and expression, emphasizing that this right is an indispensable condition for the full development of the individual and for any free and democratic society. Likewise, in General Comment No. 37, the Committee examined the right of peaceful assembly, affirming that peaceful assemblies play an essential role in enabling individuals and groups to express their views and participate in public life. These General Comments assist in translating broad legal provisions into interpretive standards that can be applied in developing the sub-indicators and measurement questions of the Index.

At the national level, the Index is grounded in the constitutional, legislative, and policy frameworks governing public freedoms within the State under assessment. This includes constitutional provisions relating to rights and freedoms; legislation governing the media and freedom of expression; elections, political parties, and political participation; public meetings and assemblies; movement, residence, and travel; as well as criminal procedures and judicial safeguards. The national reference framework also encompasses decisions, reports, and practices issued by official, oversight, and judicial institutions that relate to the protection, restriction, or regulation of rights. This component of the framework will be further developed during the implementation phase based on the officially adopted national documents and the data available for each dimension.

Reference Framework	Scope	Application in Measurement
Conceptual Reference Framework	Defining the concept of public freedoms and their relationship to human rights, the rule of law, and the public sphere	Establishing conceptual clarity and preventing the use of overly broad or non-measurable terminology
International Reference Framework	Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), and the relevant General Comments	Defining the substance of rights, the permissible limits of restrictions, and the State's core obligations
National Reference Framework	The Constitution, legislation, regulations, policies, and relevant judicial and administrative decisions	Assessing the extent to which the national legal and institutional framework is aligned with international human rights standards and identifying legal and institutional gaps
Methodological Reference Framework	The United Nations Human Rights Indicators Framework, which distinguishes among the categories of indicators and their application	Translating rights into measurable levels that can be monitored, coded, and aggregated
Operational Reference Framework	Official documents, focus group discussions, expert interviews, and documentary reviews	Verifying the reality of implementation and interpreting the gaps between legal provisions, implementation, and outcomes

Table (1). Reference Frameworks, Their Scope, and Their Application in Measurement

Building the Index requires translating the human rights reference framework into measurable attributes within each dimension. For example, the right to freedom of expression is not measured solely by the legal recognition of the right, but also by the existence of clear legal protections, transparency in the restrictions imposed upon it, safeguards against disproportionate sanctions, and an environment that enables the free flow of information and the diversity of opinions. Likewise, the right to political participation is not assessed merely by the existence of elections, but by the extent to which individuals are able to stand for election, enjoy equal opportunities, freely organize politically, and participate effectively in public affairs. Similarly, the rule of law and procedural safeguards are assessed through indicators such as judicial independence, procedural fairness, protection against arbitrariness, and the availability of effective remedies.

The conceptual framework also requires that restrictions should not be regarded as the absolute antithesis of rights in all circumstances. Legal systems may regulate the exercise of certain freedoms in pursuit of legitimate objectives such as the protection of public order, the rights of others, or the requirements of public safety and security. However, the legitimacy of such regulation cannot be established merely by the existence of a regulatory purpose. Rather, it requires that the legal basis be clear, the scope of the restriction be limited, and that the restriction be necessary, proportionate, and subject to oversight and review. Accordingly, the Index takes into account not only the existence of restrictions, but also their nature, breadth, degree of ambiguity, manner of implementation, and the safeguards available to challenge them. This framework further emphasizes that the Index does not seek to produce a general political judgment; rather, it aims to provide a systematic, rights-based assessment that is capable of empirical verification. Accordingly, the language employed throughout the Index distinguishes between the level of legal commitment, the level of institutional implementation, and the level of actual impact. It also avoids conflating the existence of policies with their effectiveness, the existence of institutions with their independence or capacity to provide protection, and the availability of data with its adequacy for explaining the state of public freedoms. For this reason, the Index adopts a methodological structure that enables each dimension to be assessed through an integrated combination of legal, procedural, and outcome-based evidence.

2.2 Index Development Methodology

The methodology adopted for developing the Public Freedoms Index is based on translating the human rights normative framework into a composite measurement instrument that combines conceptual clarity, methodological rigor in indicator design, and the capacity to produce results that are comparable and periodically updatable. Rather than measuring general perceptions of public freedoms, the methodology deconstructs each right into observable and measurable components, which are subsequently linked to clearly defined data sources and a standardized coding methodology. Accordingly, the Index serves as a diagnostic instrument that measures the level of protection,

implementation, and outcomes associated with public freedoms, rather than merely providing a general description of their state.

Stage	Content	Methodological Output
Defining the Scope	Establishing the five dimensions of the Index: freedom of opinion and expression, political participation, the rule of law and procedural safeguards, peaceful assembly, and freedom of movement	A clearly defined measurement framework and objective boundaries for the Index
Human Rights Grounding	Linking each dimension to the relevant international and national standards, as well as to the substance of the right and the permissible limits of restrictions upon it	A normative reference framework that prevents perception-based assessment
Analytical Deconstruction	Translating each dimension into measurable attributes, sub-indicators, and assessment questions that capture its legal, institutional, and practical aspects	An operational measurement matrix that is suitable for implementation and review
Data Collection	Drawing upon documentary reviews of legislation, policies, and official documents, analysis of practice, and evidence obtained through expert interviews and focus group discussions	A multi-source evidence base
Coding and Aggregation	Converting qualitative and quantitative responses into standardized scores, followed by the calculation of dimension scores and the overall Index score in accordance with predefined methodological rules	Results that are comparable and capable of periodic updating

Table (2). Stages and Content of the Index Development Methodology

The methodological design of the Index is founded upon a core principle: the transition from viewing a right as a normative legal provision to understanding it as a measurable practice. Accordingly, the Index does not merely examine whether legal protection exists; it also assesses the adequacy of safeguards, the clarity of restrictions, the fairness of procedures, the effectiveness of institutions, and the extent to which these factors influence the ability of individuals and groups to effectively exercise their public freedoms in practice. This approach is consistent with the United Nations Human Rights Indicators Framework, which distinguishes among structural indicators relating to the legal framework, process indicators concerning implementation efforts, and outcome indicators reflecting the actual impact on the enjoyment of rights.

Methodological Principle	Application in the Index
Clarity	Defining each dimension, indicator, and assessment question in a manner that prevents overlap and ambiguity
Verifiability	Linking each score to a specific data source, documented evidence, or a well-justified expert assessment
Consistency	Applying a standardized coding methodology across all dimensions to ensure consistency and fairness in comparison
Updatability	Designing the Index to enable its periodic application and the measurement of changes over time

Table (3). Methodological Principles and Their Application

Accordingly, the Index Development Methodology serves as the critical link between the conceptual and human rights framework, on the one hand, and the measurement and coding framework, on the other. It defines how public freedoms are translated from broad legal and political concepts into a structured system of indicators that can be systematically measured, analyzed, and interpreted, while preserving the human rights foundation of the assessment and avoiding its reduction to a numerical score detached from its normative and institutional context.

2.3 Index Structure

The Public Freedoms Index is organized around an integrated hierarchical structure that begins with the overall Index as a composite instrument for assessing the level of public freedoms and culminates in specific assessment questions linked to verifiable data sources. The purpose of this structure is not merely to organize the content in a hierarchical format, but to establish a coherent methodological pathway that guides the measurement process from the overarching concept to the underlying evidence, and from the overall assessment to individual components that are capable of systematic examination and verification.

Level of Measurement	Function of the Level	Unit of Measurement
Clarity	Provides a composite assessment of the state of public freedoms within a unified framework that is comparable and capable of periodic updating	Overall Index Score
Verifiability	Disaggregates public freedoms into the major human rights domains that define the scope of the Index	Score for Each of the Five Dimensions
Principal Dimensions	Identifies the core dimensions within each principal dimension, such as legal protection, institutional safeguards, and the effective exercise of rights	Attribute Score within Each Dimension
Sub-indicators	Translates the attributes into more specific measurement elements that can be linked to evidence and data	Sub-indicator Score (Not available in this edition)
Assessment Questions	Formulates standardized quantitative and qualitative questions to assess the extent to which each sub-indicator is realized	Standardized Response Based on a Uniform Measurement Scale
Data Sources	Identifies the evidence on which the responses are based, including legal provisions, official documents, actual practice, expert inputs, and focus group discussions	Documented Evidence or a Well-Justified Expert Assessment

Table (4). Levels of Measurement and Their Functions

At its principal level, the Index is organized into five principal dimensions: freedom of opinion and expression, political participation, the rule of law and procedural safeguards, the right to peaceful assembly, and freedom of movement. Each dimension is analyzed both as an independent unit of analysis and as an integral component of the overall Index score. This approach makes it possible to identify the specific strengths and weaknesses within each domain while preserving a comprehensive assessment of the overall state of public freedoms.

Principal Dimension	General Scope of Measurement	Focus of the Assessment
Freedom of Opinion and Expression	The legal protection and effective exercise of freedom of expression, access to information, and pluralism of opinions	Assesses the degree of openness, the adequacy of safeguards, and the restrictions affecting freedom of expression in the public sphere
Political Participation	The rights to vote, stand for election, participate in public affairs, and engage in political organization	Assesses the extent to which political participation is enabled, together with the fairness of its conditions and procedures.
Rule of Law and Procedural Safeguards	Judicial independence, the right to a fair trial, protection against arbitrariness, and accountability	Assesses the level of procedural protection and the effectiveness of institutional safeguards against violations
Right to Peaceful Assembly	The legal framework governing peaceful assemblies, their practical implementation, and the restrictions imposed upon them	Assesses the extent to which the legal framework and its implementation are consistent with the essence of the right to peaceful assembly
Freedom of Movement	Internal movement, residence, travel, and any legal, administrative, or de facto restrictions	Assesses the level of freedom of movement and the legality, necessity, and proportionality of any restrictions

Table (5). General Scope of Measurement for the Principal Dimensions

The Index is founded on a multi-level measurement framework, whereby each principal dimension is assessed not through a single question, but through a hierarchy of attributes, sub-indicators, and detailed assessment questions that capture the distinctions between the existence of legal provisions, the quality of institutional procedures, and the realities of implementation. Accordingly, the Index differentiates between structural protection, reflected in the legal and institutional framework; process-related efforts, reflected in implementation measures and administrative procedures; and outcome-level performance, which reveals the extent to which individuals and groups effectively enjoy public freedoms in practice.

The significance of this hierarchical approach lies in ensuring that every score is derived from a transparent sequence of evidence and methodological decisions, rather than from general judgment or subjective assessment. It also enables each level of the framework to be examined independently. Thus, if the score of a particular dimension is low, it is possible to trace that result back to the specific attribute, sub-indicator, or assessment question that produced it and to determine

whether the deficiency originates in the legal framework, institutional practice, or the actual outcomes experienced in practice.

Accordingly, the Index structure and its levels of measurement constitute the organizational foundation upon which the subsequent coding and aggregation methodology is built. They define what is measured, at which level, and through what type of evidence, before proceeding to the next methodological stage concerning how responses are translated into scores that are suitable for calculation, aggregation, and comparison.

2.4 Measurement, Coding, and Aggregation Methodology

The measurement, coding, and aggregation methodology constitutes the link between the structure of the Index and its final results. It defines how qualitative and quantitative evidence is translated into numerical scores that are suitable for comparison and how these scores are reviewed before being aggregated at the levels of sub-indicators, attributes, principal dimensions, and the overall Index score. Within this Index, numerical scores are not treated as substitutes for human rights analysis; rather, they represent standardized representations of the available evidence, enabling each score to be traced to its underlying sources and interpreted within its legal, institutional, and operational context.

The measurement methodology is founded upon two complementary principles. First, every assessment question must be linked to a clearly identified data source or verifiable evidence. Second, the coding methodology should be standardized as far as possible across all dimensions to ensure that comparisons are not affected by variations in scoring approaches between different domains. This approach is consistent with the United Nations Human Rights Indicators Framework, which emphasizes the role of indicators in measuring progress, informing public policymaking, and strengthening transparency and accountability. It is also aligned with the methodological literature on the development of composite indicators, which highlights the importance of normalization, weighting, and aggregation in accordance with transparent and reviewable methodological rules.

2.4.1 Stages of Measurement

Stage of Measurement	Methodological Purpose	Operational Output
Defining the Assessment Question	Translating each sub-indicator into a specific assessment question designed to measure, as far as possible, a single aspect of the phenomenon under assessment	A clearly defined assessment question linked to a specific attribute or sub-indicator
Identifying the Evidence Source	Linking each response to a legal provision, official document, documented practice, or a well-substantiated expert opinion	An evidence base that can be consulted and verified during the review process
Coding the Response	Converting each response into a standardized score in accordance with a uniform measurement scale	A numerical value suitable for calculation and comparison
Consistency Review	Examining the logical consistency of the coding process across assessment questions and principal dimensions and preventing subjective or perception-based scoring	A well-substantiated score, accompanied by an explanatory note where necessary
Aggregation	Calculating the scores of the sub-indicator, followed by the attribute, the principal dimension, and ultimately the overall Index score	Composite results that can be interpreted and analyzed across multiple levels

Table (6). Stages of Measurement and Their Operational Outputs

2.4.2 Attribute Coding Scale

The Index employs a simplified standardized coding scale consisting of three primary scoring levels, with the possibility of assigning an intermediate score where the available evidence is mixed or where the criterion is only partially satisfied. A score of **1** is assigned when the evidence demonstrates that the criterion has been met to a sufficient extent. A score of **0.5** is assigned when compliance is partial, conditional, or inconsistent. A score of **0** is assigned when the criterion has not been met or when the available evidence indicates the existence of substantial restrictions that undermine the substance of the right.

Where sufficient evidence is unavailable to support coding, the case may be recorded as "Not Available (N/A)" and excluded from the calculation of the average score, provided that the reason for its exclusion is fully documented. This approach ensures that data gaps are not inadvertently interpreted as negative findings or evidence of non-compliance.

Code	Methodological Interpretation	Criteria for Use
1	Full or sufficient fulfilment of the criterion	Assigned where there is clear evidence of legal protection, effective implementation, or a positive outcome that is supported by verifiable evidence
0.5	Partial fulfilment	Assigned where a positive legal provision or procedural measure exists, but its implementation is weak, inconsistent, conditional, or the criterion is only partially satisfied
0	Criterion not fulfilled or a substantial deficiency exists	Assigned where legal protection is absent, a disproportionate restriction exists, or practices undermine the substance of the right
N/A (Not Available)	Insufficient evidence for coding	Used where adequate evidence is unavailable or verification is not possible. Such cases are excluded from score calculations, with the reason for exclusion documented through an explanatory note

Table (7). Coding Scale and Its Methodological Interpretation

2.4.3 Aggregation Rule

Scores are aggregated from the lowest to the highest level in accordance with the hierarchical structure of the Index. At the first level, the sub-indicator score is calculated as the arithmetic mean of the assessment questions associated with that sub-indicator. At the second level, the attribute score is calculated as the arithmetic mean of its constituent sub-indicators. At the third level, the principal dimension score is calculated as the arithmetic mean of the analytical attributes within that dimension. At the final level, the overall Index score is calculated as the arithmetic mean of the scores of the five principal dimensions. This aggregation approach preserves methodological simplicity and transparency while allowing for the future introduction of weighting schemes should empirical evidence or expert consensus provide sufficient justification.

General Aggregation Rule: The score of a higher-level component is calculated as the arithmetic mean of the scores of its constituent lower-level components, after excluding documented Not Available (N/A) values from the calculation. Where such exclusions occur, an explanatory note shall be provided to indicate the potential implications of missing data for the interpretation of the final results.

Level of Aggregation	Method of Calculation	Methodological Notes
Sub-indicator	Arithmetic mean of the assessment questions measuring the same dimension	Assessment questions are aggregated only if they measure the same underlying dimension
Analytical Attribute	Arithmetic mean of the constituent sub-indicators within the attribute	Significant variation among sub-indicators is reviewed before the attribute score is finalized
Principal Dimension	Arithmetic mean of the analytical attributes within the dimension	The score should be interpreted alongside a qualitative explanation identifying the sources of strength or weakness
Overall Index	Arithmetic mean of the scores of the five principal dimensions	The overall score provides a composite assessment and should not be regarded as a substitute for the separate analysis of each principal dimension

Table (8). Levels of Aggregation and Calculation Method

2.4.4 Interpretation of Results

To prevent the findings from being reduced to abstract numerical values, each score is accompanied by a brief explanatory note specifying the rationale for the assigned code and the underlying source of evidence. This explanatory note is mandatory in three cases: (i) when a score of **0** is assigned, (ii) when a score of **0.5** is assigned, and (iii) when an assessment question is excluded from scoring and recorded as Not Available (N/A). In addition, extreme or conflicting scores across different sources are subject to review by assessing the strength, timeliness, and direct relevance of the supporting evidence to the assessment question. Priority is given to official and documented evidence, followed by specialized human rights evidence, and subsequently to expert assessments and focus group findings, provided that such assessments are adequately justified and supported by a clearly documented context.

The final results are presented on a **0–1** scale and, for reporting purposes, may also be expressed as percentages ranging from **0** to **100** by multiplying the score by **100**. Each numerical result is presented alongside a descriptive classification that assists readers in interpreting its meaning without implying unwarranted certainty or

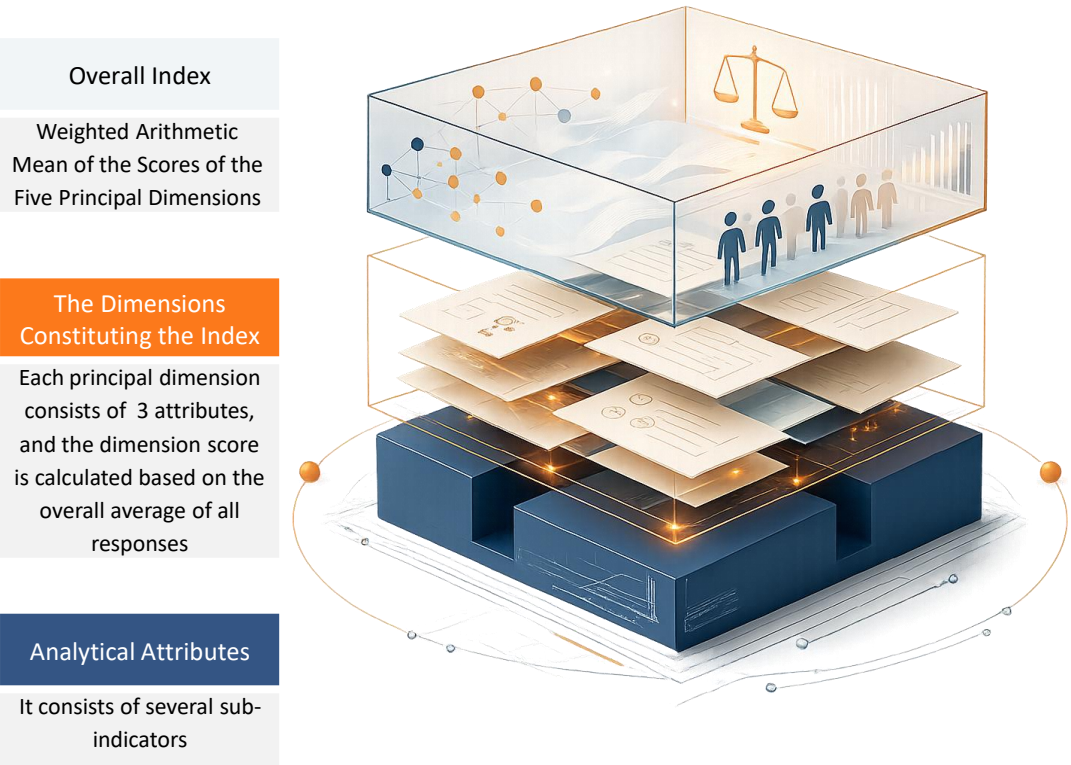
oversimplification. The purpose of this descriptive classification is not to deliver a definitive judgment but rather to facilitate interpretation of the overall direction of the findings and to relate the numerical score to the underlying body of evidence.

Score Range	Descriptive Classification	Interpretation
85%–100%	Established Freedoms	The legislative framework and practical implementation are highly consistent, supported by effective protection and remedy mechanisms, as well as a high degree of institutional transparency
70%–84%	Advanced Freedoms	The system functions effectively overall, with some aspects of implementation requiring incremental improvement. Protection mechanisms are available and effective in most cases
55%–69%	Developing Freedoms	The legislative framework is in place, with tangible implementation gaps that require structural reform. Practice is gradually evolving, with clear opportunities for improvement
40%–54%	Inconsistent Freedoms	Practices vary significantly across sectors and contexts, with gaps in consistency between the legislative framework and institutional implementation. This calls for harmonizing standards and strengthening implementation mechanisms and safeguards
Below 40%	Fragile Freedoms	The system faces structural challenges that call for a systematic review at both the legislative and institutional levels to enhance its effectiveness and ensure alignment with established standards

Table (9). Score Ranges and Descriptive Classifications

Accordingly, the measurement, coding, and aggregation methodology ensures that the Index results are transparent, interpretable, and amenable to verification and review, while remaining firmly anchored in the underlying human rights standards and the evidence base upon which they are derived. This methodology also enables the Index to be applied periodically and facilitates the comparison of findings over time or across different units of analysis, without compromising its human rights foundation or reducing it to a purely quantitative exercise detached from its legal, institutional, and normative context.

Figure (1). Stages of the Index Development Process and the Significance of Each Stage



Overall Index

Significance: This level provides the “final diagnostic score” upon which the classification of the state of public freedoms in the country is determined (Fragile, Inconsistent, Developing, Advanced, or Established)

Freedom of Opinion and Expression	Political Participation	Rule of Law	Right to Peaceful Assembly	Freedom of Movement
Each dimension represents an “independent unit of analysis” that enables the comparison of the state’s performance across different human rights domains and the identification of specific areas of strength and weakness				
Structural Protection		Process Efforts		Outcomes and Safeguards
Sub-indicators, Each attribute comprises a set of specialized sub-indicators, such as constitutional guarantees, field-level implementation environment, and the effectiveness of remedies)				

2.5 Data Sources

Data were collected through a set of research tools, including strategic content analysis of relevant documents and policies, as well as individual interviews and focus groups conducted with a sample of experts and specialists in the fields of law, human rights, political participation, journalists, and writers. The analysis also relied on available indicators and datasets to support the qualitative findings and enhance their reliability.

The selection of the sample took into consideration the achievement of geographical representation across the different regions of the Kingdom, in addition to diversity in areas of expertise, professional backgrounds, gender, and target groups. This approach aimed to provide a balanced and comprehensive understanding of the state of public freedoms from multiple perspectives.

3. Principal Dimensions of the Index

3.1 Freedom of Opinion and Expression

Freedom of opinion and expression, freedom of the press and media, and the free flow of information are fundamental pillars underpinning democratic systems and are essential to ensuring the effectiveness and efficiency of the media. Legislation should be supportive of freedom and designed to achieve a delicate balance between the right to freedom of expression and the responsibilities arising from its exercise. This also requires a high degree of professionalism among media practitioners, grounded in continuous training, professional self-regulation, and adherence to professional ethics.

The right to freedom of opinion and expression and freedom of the press and media in Jordan is grounded in **Articles 15, 7(2), and 128** of the Jordanian Constitution. These provisions constitute the legal foundation underpinning these freedoms, while taking into consideration the need to protect the public and private rights of Jordanian citizens and to determine how to strike a balance between these rights in cases of conflict.

At the international level, international standards on freedom of opinion and expression are primarily defined by **Article 19** of the Universal Declaration of Human Rights, **Article 19** of the International Covenant on Civil and Political Rights,¹ and **Article 32** of the Arab Charter on Human Rights.² Several decisions of the Jordanian Court of Cassation have affirmed the principle that treaties prevail over domestic legislation in cases of conflict, noting that “treaties or bilateral or international agreements are binding and rank higher than domestic law in the event of a contradiction.”³

3.1.1 Historical Context and Developments

The media landscape in Jordan has undergone varied developments. The “Media Strategy” (2011–2015)⁴ and the UNESCO report, “Assessment of Media Development in Jordan”,⁵ were two pivotal documents in establishing a roadmap for the future of journalism and the media. As part of the “Support to Media in Jordan” project, the UNESCO study

aimed to promote media freedoms, media independence, and journalistic professionalism. Historically, the Jordanian press has been described as “pro-government,” supporting the status quo and representing the interests of the ruling elite, in the words of the prominent American Orientalist William Rugh.⁶ This reflects a role comparable to that of poets in classical Arabic literature, where the emphasis was placed on praising the tribe rather than conveying the truth.⁷

The Royal Committee to Modernize the Political System⁸ document affirmed that “modernizing the media and ensuring its independence is a prerequisite for political modernization, and it is inconceivable to mature the democratic model without a free and responsible media and the free flow of information.” The Committee noted that Jordanian media “has witnessed important reforms over the past three decades, as well as periods of regression, with its trajectory characterized by ‘one step forward and one step backward’” over the past three decades. It further emphasized that the time had come to break out of this vicious cycle in parallel with the launch of the political modernization process.

3.1.2 International and National Indicators

International indicators point to a decline in press freedom in Jordan. According to the “Reporters Without Borders (RSF) World Press Freedom Index”, Jordan achieved its highest ranking in 2005, at 96, while its ranking deteriorated to its lowest level, 147, in 2025. Meanwhile, the “Freedom House Freedom of the Press Index” classified Jordan as “Not Free” over the past fifteen years, while it was classified as “Partly Free” in the Freedom on the Net Index.

In 2007, the Higher Media Council conducted the first national index to measure the level of press freedom, according to which the level of media freedom⁹ in Jordan stood at 52.3%, placing it within the category of relative freedom. According to the Jordan Press Association Index, press freedom ranged within the relative freedom category, recording (51% in 2012 and 44% in 2013).

Index / Year	2005	2006	2017	2020	2023	2024	2025	2026
Reporters Without Borders (RSF), World Press Freedom Index (180 countries)	96	110	138	128	146	132	147	142
Freedom House, Freedom of the Press Index (%)	Not Free	Not Free	Not Free	Not Free	Not Free	Not Free	34% Not Free	
Freedom House, ¹⁰ Freedom of the Net Index (Score out of 100)	-	-	53 Partly Free	49 Partly Free	47 Partly Free	47 Partly Free	47 Partly Free	
Right to Information ¹¹ (RTI) Rating – RTI-Rating.org (140 countries)						125	122	
Index / Year	2012					2013		
Jordan Press Association Index	51%					44%		

Table (10). Scores of International and National Indicators across Selected Years

At the beginning of 2024, the fourth Universal Periodic Review (UPR) of the human rights situation in Jordan was conducted. Jordan received recommendations¹² to bring the relevant provisions of the Penal Code, the Crime Prevention Law, the Cybercrime Law, the Press and Publications Law, and the Right to Information Law into alignment with international standards.

The enactment of Cybercrime Law No. 17 of 2023 raised concerns among the Office of the United Nations High Commissioner for Human Rights (OHCHR), which described the law as excessively restrictive, suppressing criticism and accountability, and containing broad and vague definitions of offences.¹³ An Impact Assessment of Cybercrime Law No. 17 of 2023 and Its Implementation,¹⁴ conducted by the National Centre for Human Rights, showed that the largest number of cases filed in 2024 concerned violations of Article 15 of the Law, relating to defamation, slander, insult, and the dissemination of false news, with a total of 2,480 cases. This was followed by 175 cases brought under Article 17, relating to incitement of discord or sectarian strife, incitement to hatred, advocacy or justification of violence, or contempt for religions.

The outcomes of the judgments in cases brought under **Articles 15** and **17** in 2024 were as follows:

Judgment Outcome	Article 15	Article 17
Conviction	427	57
Acquittal	101	15
No Liability	78	38
Referral, Dismissal, or Discontinuation of Proceedings	906	15

Table (11). Outcomes of Judgments in Cases Filed in 2024 under Articles 15 and 17

The Centre recommended reducing the penalties for offences of defamation, slander, and insult under the law, in order to align them with the Penal Code and avoid legislative duplication, thereby ensuring that individuals are not subject to pre-trial detention. It also recommended legislative redrafting of the offences of character assassination and hate speech.

3.1.3 Right to Information Law No. 3 of 2024

Jordan played a leading role in the region as the first Arab country to enact a Right to Information Law in 2007, followed to date by eight other Arab countries. Although being the “first country” is significant, in practical terms, Jordan ranked relatively low in 2025, at **122th** out of **140** countries, in the Global Right to Information Rating (RTI Rating),¹⁵ which assesses right-to-information laws worldwide.

In 2024, two unprecedented cases involving journalists resulted in imprisonment. Journalist Ahmad Hassan Al-Zoubi and journalist Hiba Abu Taha were each sentenced to one year in prison. Abu Taha was released on 13 February 2025 after completing her sentence and paying a fine of JOD 5,000, while Al-Zoubi was released in early 2025, and his sentence was replaced with a community service penalty. In March 2026, journalist Hiba Abu Taha was sentenced to two years in prison over a Facebook post, following a conviction under the Cybercrime Law.

3.1.4 Digital Media Regulation System

(No. 13 of 2026, published in the Official Journal, Issue No. 6046 on 23 April 2026, p. 1671)

The system was issued pursuant to Article 32 of the Audiovisual Media Law No. 26 of 2015 and Article 50 of the Press and Publications Law No. 8 of 1998. This is the first instance in which a regulation has been issued on the basis of two separate laws. The system raises several legal concerns:

- **Legislative Delegation:** The term “digital media” did not exist when the two laws were enacted, which may raise concerns regarding the principle of legality and the potential encroachment of the executive authority on the legislative authority's powers.
- **Regulation and Licensing:** The system prohibits the practice of any digital media activity without a license and grants the Media Commission broad powers to monitor digital content across the internet, platforms, and applications.
- **International Standards:** Placing press and publications and broadcasting under a single regulatory framework is not consistent with international standards, which distinguish between print media, where notification is generally required, and broadcasting, where licensing is justified by the scarcity of frequencies.
- **Fees:** The system provides for the imposition of fees and service charges, which may conflict with Article 111 of the Constitution, which stipulates that “no tax or fee shall be imposed except by law.”

The system defines digital media as activities involving digital media content that provide interactive and participatory services professionally through the internet, and subjects such activities to licensing and regulatory oversight. Proposed solutions to address these concerns include submitting a draft law rather than adopting the matter through a regulation, requesting an interpretation from the Special Bureau for the Interpretation of Laws, or challenging the system before the Administrative Court and the Constitutional Court.

The media have long been regarded as the “fourth estate” and as a watchdog against the abuse of power. However, Jordan's continued decline in global press freedom rankings is bringing it closer to the ranks

of countries where press freedom is most severely restricted, a position that does not befit its standing.

Jordan was also the first country in the region to join the Open Government Partnership (OGP) in 2011, which now comprises 78 countries. In its first national action plan submitted under the partnership, Jordan committed to “amending the Access to Information Law to bring it into line with international standards and best practices.” This commitment took 15 years to be implemented, with the law eventually amended in 2024. Among the key amendments introduced to the law were the ability to submit information requests in writing or electronically; reducing the response period from 30 days by half; requiring entities subject to the law to apply the principle of proactive disclosure of information; and expanding the membership of the Information Council to include the Head of the Jordan Press Association, the Head of the Jordan Bar Association, and two civil society representatives appointed by the Prime Minister.

At the end of 2024, “Performance Index Center” conducted an assessment of the extent to which Jordanian ministries responded to information requests.¹⁶ The study involved submitting written and electronic requests to 26 ministries to assess their compliance with the amended 2024 law. The findings showed that only five out of 26 ministries (19%) responded to requests for access to information. The ministries that failed to respond did not provide any reasons or justifications for their failure to respond to the requests.

3.1.5 Publication Bans

In previous years, there has been an expansion in the issuance of publication bans, which may contribute to the spread of rumours concerning restricted topics. Information, like any other commodity, is subject to the law of supply and demand; when demand for information is not met, rumours may emerge to fill the information gap.¹⁷ In mid-December 2025, the Ministry of Government Communication launched the Second National Strategy for Media and Information Literacy,¹⁸ emphasizing that it represents a key strategic approach to addressing the flow of inaccurate and misleading information amid technological developments.

3.1.6 Oversight of Printing and Publishing

Article 35 of the Press and Publications Law No. **8** of 1998 previously required two copies of a book manuscript to be submitted prior to printing, while granting the Director the authority to prohibit its publication. In 2007, prior censorship was abolished and replaced by a provision allowing the court to confiscate a book if it violated applicable legislation. Nevertheless, the Copyright Protection Law No. **22** of 1992 (Articles **40** and **41**) requires authors to obtain a deposit number from the National Library. There have been cases in which the National Library refused to issue deposit numbers for certain manuscripts, including manuscripts by Salem Al-Falahat, Sameh Al-Mahareeq, and Salah Abu Lawi, citing alleged violations of the law, particularly in relation to religion or sexuality. Some authors reportedly complied with the National Library's comments and deleted or amended parts of their manuscripts, while others eventually succeeded in obtaining a deposit number after prolonged delays.

3.2 Political Participation

Political participation is one of the key indicators of the development of a political system in any country and serves as a reflection of the degree of openness to political pluralism and opposition, as well as the extent to which the principle of the peaceful transfer of power has been consolidated. The forms and scope of such participation vary from one country to another, depending on the nature of the political system, its level of development, and the constitutional and legal framework governing political participation.

In this context, political parties emerge as one of the most important institutional channels for political participation, as they constitute a key mechanism for organizing political activity, structuring available human resources—both organized and unorganized—and directing them towards effective engagement in public decision-making processes.

As part of Jordan's political modernization process and efforts to strengthen political participation, the Election Law for the House of Representatives No. 4 of 2022 was enacted as a significant step forward in regulating the electoral process. The law restructured the electoral system by combining local electoral lists with party lists at the national level, with the aim of strengthening party-based political activity within Parliament, broadening the base of political participation, and facilitating a gradual transition towards parliamentary governments based on party programmes. In parallel, the Political Parties Law No. 7 of 2022 established a modern legal framework governing the formation and activities of political parties and guaranteeing Jordanians' right to join political parties, while providing legal safeguards to protect party members from discrimination or accountability on the basis of their political activities.

3.2.1 Concept and Dimensions of Political Participation

Political systems face a range of obligations reflected in citizens' participation in political life. Political activity is considered one of the most important manifestations of political participation. As Samuel Huntington notes, such activity encompasses the role played by individuals or groups within the political system with the aim of influencing the political process and governmental decision-making, whether individually or collectively, formally or informally, peacefully or

violently, and directly or indirectly.¹⁹ Some schools of thought argue that social participation is, in essence, a form of political participation, as it reflects citizens' direct engagement in discussing public affairs and their regular and sustained involvement in the activities of organized groups. Indirect participation, such as "electoral participation", differs from direct participation, which is not confined to specific time periods and does not require a high social status, but rather constitutes an ordinary activity undertaken by citizens.²⁰

Political participation can be understood as an effective process of support and engagement that enables the broadest possible number of citizens to participate in various political activities, in accordance with their capacities and willingness to engage. It is also defined as a socio-political process through which individuals play a role in public life, providing them with opportunities to contribute to the formulation and development of the general objectives of society, as well as political objectives, and to participate in selecting the most appropriate means of achieving and implementing those objectives. In this sense, political participation is a process through which citizens contribute to public policymaking and seek to identify the most effective means of achieving broader societal objectives.²¹

Participation is a positive act that carries several important implications, most notably the mobilization of available resources and the integration of governmental and popular efforts at various levels, whether existing or newly developed. This contributes to addressing essential needs through clearly defined and structured plans. Participation also reflects citizens' awareness and their role in influencing public policy choices and contributing to the management of public affairs at the national or local level, including through the selection of political leaders and influencing their direction.²²

3.2.2 Modern Electoral Legislation and Its Impact on Expanding Political Participation

Political participation cannot be fully realized without effective political empowerment based on democratic principles that enable citizens to freely express their will and contribute to the development of democratic governance mechanisms. Such empowerment requires a political system that ensures the participation of all segments of society without discrimination on the basis of religion, language, colour, or race,

thereby advancing inclusive and equitable political participation. In affirmation of these principles, international instruments have established guarantees for the right to political participation, most notably the Universal Declaration of Human Rights, particularly **Article 21**.²³

Consistent with this approach, the International Covenant on Civil and Political Rights (ICCPR) underscores the importance of political participation in **Article 25**. Similar provisions are also set out in **Article 24** of the Arab Charter on Human Rights.

Jordanian national legislation is broadly aligned with the principles of political participation. **Article 67** of the Constitution provides that the House of Representatives shall be elected through general, direct, and secret elections in accordance with the “Election Law”, thereby strengthening guarantees of popular participation in the selection of representatives.

Within this constitutional framework, the Election Law for the House of Representatives of 2022 represents a significant step in the development of Jordan's political life. The law has raised questions regarding its capacity to establish a political system in which political parties play a progressively greater role and presence in the House of Representatives over successive electoral cycles, ultimately reaching **65%** of parliamentary seats in the elections for the **22nd** House of Representatives. This direction has been reinforced through the introduction of electoral thresholds for political parties and local lists seeking representation in the House, thereby increasing the importance of political and economic programmes, as well as the political alliances and coalitions upon which parties and electoral lists are formed. The law has also increased the representation of women and youth and strengthened penalties for political money, prompting broader debate regarding the capacity of its provisions and reforms to advance political development.²⁴

Pursuant to **Article 3** of the Election Law for the House of Representatives No. **4** of 2022, the Jordanian legislator strengthened political participation by affirming the general right to vote for every Jordanian citizen who has reached the age of **18**. This right represents one of the most important manifestations and fundamental instruments of political participation. The provision contributes to broadening the

participation base by enabling young people to engage in political life at an early stage and participate in selecting their representatives in the House of Representatives.

At the same time, the legislator regulates the exercise of this right by imposing specific and justified restrictions. For example, members of the armed forces and security agencies are prohibited from exercising their voting rights while in active service, with the aim of preserving the neutrality of these institutions and protecting them from political polarization, without affecting their constitutional right following the completion of their service. The exercise of electoral rights is also restricted in specific cases relating to legal capacity, such as individuals declared bankrupt or those lacking full legal capacity, thereby seeking to balance the expansion of political participation with the integrity of the electoral process.

This legal framework reflects a legislative approach aimed at strengthening political participation in a regulated manner by extending voting rights to the broadest possible segment of citizens while taking into account considerations of public order and electoral integrity. In doing so, it seeks to support the development of parliamentary life based on genuine representation and the popular will.

In light of the foregoing, Jordan's modern electoral legislation, particularly the 2022 Election Law, can be viewed as a serious legislative effort to move from formal political participation towards more meaningful and effective participation. This is pursued through reaffirming the role of political parties, broadening the electorate, enhancing the representation of women and youth, and strengthening oversight of practices that may undermine the integrity of the electoral process. Nevertheless, the effectiveness of this legislation in expanding political participation remains contingent upon its effective implementation in practice, the ability of political parties to develop realistic programmes that reflect citizens' interests, and the continued strengthening of public trust in the electoral process.

3.2.3 Political Parties and the Challenges of Political Participation in Jordan

The establishment of political parties represents one of the fundamental pillars of political participation in Jordan. The Jordanian Constitution affirms this right in **Article 16(2)**, which provides that: “Jordanians shall have the right to establish associations, unions, and political parties, provided that their objectives are lawful, their methods are peaceful, and their bylaws do not contravene the provisions of the Constitution.”

The importance of political parties stems from their role as key institutions underpinning democratic systems. Their emergence is closely linked to processes of political development and modernization. Political parties perform a range of functions, including political organization, mobilization, activation, and the promotion of political awareness. They are therefore regarded as important institutions in building the modern state and as key actors in organized political communication within society. They collect information and articulate citizens' demands to the authorities and may also participate in formulating and implementing public policy when they assume power.

In this context, the Political Parties Law No. 7 of 2022, as amended, was introduced to reorganize party life in line with contemporary political developments. **Article 3** of the law defines a Jordanian political party as a national political organization composed of Jordanians who share common citizenship values, objectives, programmes, visions, and ideas, and which seeks to participate in political life and public affairs through peaceful and democratic means for legitimate purposes, including participation in various elections, including parliamentary elections, and the formation of or participation in governments in accordance with **Article 35** of the Jordanian Constitution.²⁵

Article 4 of the Political Parties Law No. 7 of 2022 is directly linked to strengthening the role of political parties within the electoral system. It establishes a legal framework guaranteeing the freedom to establish political parties and join them without fear of legal repercussions or undue restrictions. This guarantee is essential for enabling political parties to fulfil their role in political participation, particularly in light of the Election Law's allocation of seats in the national electoral district to party-based lists, in accordance with **Article 8** of the Election Law for the House of Representatives. The prohibition against targeting individuals,

particularly students in higher education institutions, on the basis of their political party affiliation also contributes to broadening the social base of political parties and enabling them to attract young people. This, in turn, strengthens organized political activity and positions political parties as key actors in representing the popular will and contributing to public policymaking.

One of the most significant amendments introduced by the Election Law for the House of Representatives is the adoption of a closed national party list initially comprising 41 parliamentary seats, with this number set to increase to 65 seats in subsequent electoral cycles. The purpose of this list is to place political parties at the centre of the political process and gradually strengthen their capacity to form parliamentary governments in the future.

Within the framework of promoting youth and women's participation, the Political Parties Law stipulates that the participation of youth and women should account for no less than 20% of the total number of founding members, with youth defined as individuals between the ages of 18 and 35. The law also requires the inclusion of persons with disabilities among the founding members, while emphasizing the need to increase the participation of women and youth to reach 20% within a three-year period.

The law further requires that an application to establish a political party initially be submitted by 300 persons and that the registration procedures be completed within one year from the date the law enters into force. The party must ultimately have no fewer than 1,000 founding members residing in at least six governorates, with no fewer than 30 members from each governorate.

The law also introduced an explicit provision stipulating that no citizen may be subjected to adverse treatment or have their rights violated on the basis of their political party affiliation. The provision further prohibits adverse treatment of the individual's relatives on the same basis. In the event of such a violation, the affected person has the right to seek judicial redress and claim compensation for both material and moral damages.²⁶

Political participation is one of the key pillars and indicators of political development, as it contributes to broad citizen engagement in society.

To prevent the exclusion of ethnic and other minority groups, Jordan's electoral legislation has historically incorporated a quota system to ensure the representation and participation of various minority groups and communities in the political process.²⁷

Accordingly, it is evident that the constitutional and legislative framework governing political party activity in Jordan has sought to establish a supportive legal environment for strengthening the role of political parties as a primary channel for political participation. This has been pursued by guaranteeing freedom of party formation and membership, linking political party activity to the electoral process, expanding the representation of youth and women, and providing legal protection for party members. However, important as these safeguards may be, they are not sufficient on their own to overcome the challenges facing political participation unless accompanied by the effective implementation of the role of political parties, the development of genuine public trust in party-based political activity, and the promotion of a political culture that encourages meaningful engagement in political parties.

Accordingly, the challenges facing political participation in Jordan are not primarily attributable to legislative shortcomings but are more closely associated with challenges of implementation and practice. This calls for greater alignment between legal provisions and political realities in order to achieve broad and meaningful political participation and enable political parties to become genuine actors in democratic life. **Article 20(a)** of the Political Parties Law further stipulates that students enrolled in higher education institutions who are members of political parties have the right to engage in party activities on the premises of such institutions without restriction or infringement of their rights, subject to a specific regulation governing these activities.

In implementation of this legislative provision, Regulation No. **68** of 2022 on Regulating the Practice of Student Political Party Activities in Higher Education Institutions was issued pursuant to Paragraph **(a)** of **Article 20** of the Political Parties Law No. **7** of 2022.

3.3 Rule of Law

The rule of law is a fundamental pillar of the modern civil state and a critical indicator of the extent to which societies have succeeded in consolidating the values of justice, fairness, and the protection of individual freedoms. It is understood as the principle that ensures that all individuals, institutions, and authorities are subject to the law without exception or selectivity. In doing so, it establishes the framework governing the relationship between the state and its citizens, strengthens confidence in the judicial system, and contributes to social stability and development.

According to the “World Justice Project”, the concept of the (rule of law) is based on four fundamental principles: accountability, just law, open and “transparent” government, and accessible and impartial justice.²⁸ Others further conceptualize the rule of law around three principal elements: legality, democracy, and human rights.²⁹ The late Ibrahim Bakr,³⁰ former Head of the Jordan Bar Association, noted that the most widely recognized definition of the rule of law was articulated by the British constitutional scholar A. V. Dicey, who regarded the rule of law, the supremacy of law, and the principle of legality as closely related concepts. It is important, however, to distinguish between the (rule of law) and (rule by law). The latter may involve the enactment of legislation that lacks legitimacy or the arbitrary application of laws, particularly where criminal offences are defined in vague and broad terms that grant government officials extensive discretionary powers and make it easier to expand the scope of criminal liability.

The academic and intellectual literature on the rule of law in Jordan includes a number of early publications documenting the subject. These include a book documenting the proceedings of the seminar “Democracy and the Rule of Law in Germany and Jordan,” held at the Royal Scientific Society in 1992 in cooperation with the Konrad Adenauer Foundation, as well as the book “Democracy and the Rule of Law,” which documented the proceedings of a similar seminar organized by the New Jordan Center in cooperation with the same foundation in 1995.

At the national level, **Articles 6, 7(2), and 8** of the Jordanian Constitution establish the constitutional foundation for equality before the law and non-discrimination among citizens with respect to rights and duties, as well as the protection of personal liberty. No person may be arrested or

detained except in accordance with the law. These constitutional provisions are broadly consistent with international rule-of-law standards, reflected principally in Articles 5 to 12 of the Universal Declaration of Human Rights,³¹ Articles 7, 9(5), 10, and 11 of the International Covenant on Civil and Political Rights, and Articles 8 to 14 of the Arab Charter on Human Rights.³²

3.3.1 The Path of Democratic Transition and the Royal Vision in Jordan

The events of the April Uprising of 1989 represented a historic and significant turning point in Jordan's public and political landscape, initiating a period of comprehensive review of official and societal policies and practices across various levels. The National Charter subsequently established a clear roadmap for democratic transition, a process through which Jordan has continued to advance gradually, and at times cautiously, towards its intended objectives. In this context, His Majesty King Abdullah II Ibn Al Hussein, in his Sixth Discussion Paper, entitled "The Rule of Law is the Basis of the Civil State," devoted considerable attention to defining the concept, emphasizing that the principle of the rule of law requires all individuals, institutions, and authorities to be subject to the law.³³

His Majesty also highlighted the challenge of the gap between formal compliance and selective implementation. Drawing on practical experience, he noted that individuals generally accept and endorse the principle of the rule of law in theory, while some may nevertheless consider themselves to be the sole exception to its application in practice. Regardless of one's position, rank, or family background, the rule of law cannot be applied selectively. His Majesty concluded by emphasizing the close relationship between the rule of law and the effectiveness of justice, noting that the rule of law cannot be firmly established without a competent, impartial, and effective judiciary. Citizens turn to the courts because they trust in the judiciary's ability to provide redress and secure their rights within a reasonable period. When this confidence is absent, public trust in the judiciary is undermined.

3.3.2 The State of Human Rights and Procedural Safeguards in National and International Reports

In its Twenty-First Annual Report, issued in 2024 on the state of human rights in Jordan,³⁴ the National Centre for Human Rights recommended

adopting concrete procedural measures to reduce reliance on administrative detention exercised by administrative governors under the powers granted to them by the Crime Prevention Law No. 7 of 1954. The Centre also called for the continuation of educational and awareness-raising programmes for law enforcement personnel on human rights, the strengthening of fair trial guarantees, and ensuring effective investigations into allegations of torture.

The report presented statistics and numerical indicators reflecting the state of detention in Jordan. Approximately 19,000 judicial detentions were recorded in 2023, compared with 37,395 administrative detentions during the same year. In 2024, the number of persons subjected to administrative detention reached 20,437.³⁵

Based on these findings, the Centre reiterated its calls for amendments to the Crime Prevention Law and for respect for the binding force of judicial decisions as the definitive basis for determining the truth. It criticized the practice of some administrative governors of ordering administrative detention against individuals who had been judicially ordered to be released. The Centre also called for greater regulation and restriction of the discretionary powers of administrative governors in imposing detention and advocated reliance on criminal records documenting previous convictions rather than the security records maintained by the Public Security Directorate. Consistent with these reform-oriented approaches, the 2017 Royal Committee for Developing the Judiciary and Strengthening the Rule of Law³⁶ emphasized the importance of treating detention as an exceptional measure grounded in law, with the grounds for detention exhaustively defined by legislation. It also called for narrowing the scope of offences for which detention may be ordered, limiting its duration, and establishing maximum periods for detention in misdemeanor and felony cases, both before the Public Prosecutor and before the court. In addition, it recommended making detention decisions subject to appeal, in line with the constitutional presumption of innocence, while introducing alternatives to detention that would mitigate its adverse effects while achieving the objectives of the legislation.

3.3.3 Jordan's Performance in International Rule of Law Indicators

In 2025, Jordan ranked **62nd** out of **143** countries included in the Rule of Law Index published by the World Justice Project, while the Scandinavian countries³⁷ continued to occupy the top positions globally, as they have consistently done. In the context of international comparative assessments of the rule of law, data monitored by (GeoFactBook), based on aggregated datasets from multiple United Nations and international sources, particularly the United Nations and the World Bank, indicate that Jordan's trajectory in implementing the rule of law has experienced notable fluctuations over time. The country recorded its lowest level of performance and ranking on this indicator in 2002,³⁸ while its strongest performance and highest ranking were recorded in 2014.

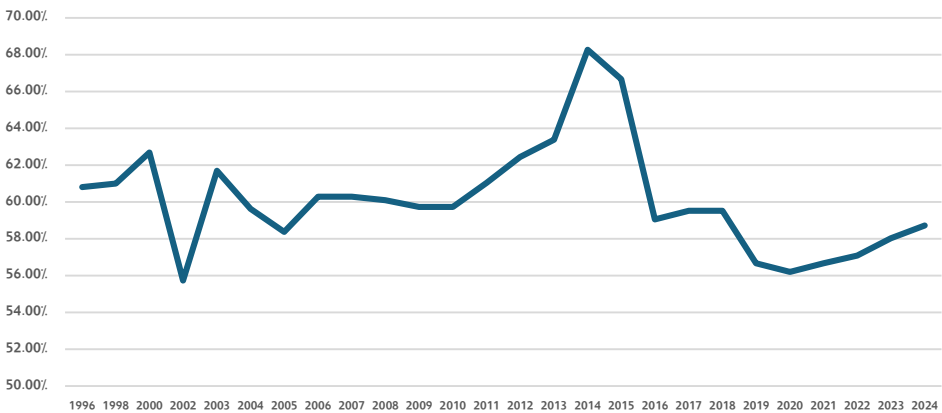


Figure (2): Time-Series Trend of Jordan's Rule of Law Index Score, as Reported by the World Justice Project (WJP)

3.3.4 Educational Exceptions and Their Impact on Equality and Equal Opportunities

One of the most prominent practical applications that may conflict with the rule of law and the principle of equality before the law, as enshrined in **Article 6** of the Jordanian Constitution, concerns exceptions in university admissions. Under the principle of equality, students should enjoy equal legal status, and the occupational or professional status of their parents should not alter their legal standing. Accordingly, granting preferential treatment or additional advantages to students based on the nature of their parents' employment may raise concerns regarding the legality and constitutionality of such preferential arrangements.

In the context of comparative Arab jurisprudence, the Supreme Constitutional Court of the Arab Republic of Egypt addressed this issue in its landmark Case No. 106 of Judicial Year 6, decided on 29 June 1985, in which it ruled that granting admission preferences to children of martyrs and members of the armed forces in university admissions was unconstitutional.

The Egyptian Supreme Constitutional Court justified its ruling by establishing that the application of the principle of justice and the achievement of equal opportunities for all require admission to these colleges and other institutions of higher education to be based on academic excellence and the capacity to pursue higher education. These criteria are demonstrated by the grades obtained by students in the General Secondary Education Certificate examination. In order to uphold the principle of equal opportunities among citizens, the admission and placement system must reject any form of discriminatory treatment or exception concerning access to equal educational opportunities.

The Court further elaborated on its reasoning, explaining that the exceptional treatment granted to certain holders of the General Secondary Education Certificate, or an equivalent qualification, allowing them admission to higher education without being subject to the required overall grades, was in fact based on considerations unrelated to the nature, objectives, or requirements of higher education. Such preferential treatment was founded on granting an exceptional advantage to certain students based either on their family affiliation with a person who held a particular position, served in a specific institution, or assumed responsibility for it at a particular time; or on the fact that such a person had been killed, died, gone missing, or been injured in the course of performing their duties; or had been awarded a medal. In other cases, the basis for preferential treatment was affiliation with remote areas by virtue of birth, residence, or obtaining a General Secondary Education Certificate from such areas. In yet other cases, the preference was linked to a particular circumstance concerning the students themselves, such as having been injured in military operations or having received a specific medal.

The Court ultimately ruled that the challenged legislative provisions governing exceptional admission to higher education were unconstitutional. Regardless of the merits of the considerations that had motivated their enactment, such exceptional treatment resulted in

members of the exempted categories replacing applicants who had achieved higher grades in the General Secondary Education Certificate, or its equivalent, in accessing higher education, where opportunities were limited. This occurred despite all applicants having been subject to the same admission criteria and despite the results demonstrating that the higher-achieving applicants had priority in exercising their right to higher education. The Court held that such treatment was inconsistent with the nature, objectives, and requirements of higher education, undermined the rights of applicants who had achieved higher grades, violated the principles of equal opportunities and equality before the law, and therefore constituted a violation of the Constitution.

3.3.5 Abuse of Discretionary Powers and Constitutional and Subordinate Judicial Review

In a related context, manifestations of abuse of broad discretionary powers granted to administrative governors under the Crime Prevention Law can be observed in highly unusual cases. One such case occurred in 2004, when the Governor of Amman ordered that an individual be placed, against his will, in the National Centre for Mental Health. The individual challenged the decision before the High Court of Justice in Case No. 8/2004. The Court subsequently issued Decision No. 46, dated 28 January 2004, annulling the Governor's decision.³⁹ In its reasoning, the Court held that forcibly placing the applicant in the National Centre for Mental Health amounted, in legal terms, to detention or imprisonment, which Article 8 of the Jordanian Constitution prohibits unless carried out in accordance with the law. The Court therefore required the respondents to release the applicant and allow him to leave the National Centre for Mental Health. It further affirmed that it could find no provision in the Crime Prevention Law or any other legislation authorizing the respondents to place the applicant in the Centre.

It is evident that the broad powers vested in administrative governors derive from several subsidiary laws that confer upon them powers parallel to those exercised by the judiciary. For example, the Agriculture Law No. 13 of 2015 empowered administrative governors, on an equal footing with the courts, to adjudicate cases concerning forests and pastures. However, the Constitutional Court resolved this overlap in 2024, ruling that the phrase “or the competent administrative governor” in Article 39 of the Agriculture Law No. 13 of 2015, as well as the phrase “or the administrative governors” in Article 40 of the same Law, were

unconstitutional. The Court held that the challenged provisions had established a parallel judicial authority alongside the ordinary judiciary established by the Constitution, granting administrative governors powers equivalent to those of the courts to adjudicate cases concerning forests and pastures. The Court further found that these provisions violated the principle of separation of powers, disregarded the safeguards and immunities afforded to the judiciary, and failed to uphold the right of access to justice as a fundamental right guaranteed by the Constitution, thereby preventing individuals from being tried before their natural judge. Accordingly, the Court declared the relevant provisions unconstitutional.

3.4 The Right to Peaceful Assembly

The right to peaceful assembly and the freedom to establish associations and trade unions have received considerable attention within the global human rights framework. The international community has recognized these fundamental rights and enshrined them in numerous relevant international conventions and treaties. Foremost among these instruments is the Universal Declaration of Human Rights, whose **Article 20** expressly provides that everyone has the right to freedom of peaceful assembly and association, while affirming that no one may be compelled to belong to an association.

This declaratory framework was further strengthened by the International Covenant on Civil and Political Rights (ICCPR), which establishes binding provisions safeguarding these freedoms. **Article 21** recognizes the right of peaceful assembly and stipulates that no restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and necessary in a democratic society for the protection of national security, public safety, public order, public health or morals, or the rights and freedoms of others.

Similarly, **Article 22** of the Covenant affirms the right of every individual to freedom of association with others, including the right to establish and join trade unions for the protection of their interests. This right is subject to the same permissible restrictions referred to above, while allowing for specific legal restrictions on members of the armed forces and law enforcement personnel. The same provision also safeguards the relevant labour conventions, preventing States Parties to the International Labour Organization Convention of 1948 concerning Freedom of Association from adopting legislative measures or applying the law in a manner that would undermine the guarantees established under that Convention.

From an analytical perspective, it is noteworthy that, although the aforementioned international instruments expressly recognize the rights to peaceful assembly and freedom of association, they do not treat these rights as absolute. Rather, they allow States certain powers to impose justified regulatory restrictions aimed at protecting national security, public safety, and public order. However, the broad and flexible terminology used to define these permissible restrictions may provide states with considerable latitude in translating and incorporating international standards into domestic legislation, potentially allowing

such provisions to be interpreted or applied in ways that serve governmental interests or those of influential actors.

At the regional level, the Arab Charter on Human Rights adopts a broadly similar approach. **Article 35** recognizes the right of every person to freedom of association and to establish or join professional associations and exercise trade union activities, subject to applicable legislation and the requirements of national security, public safety, and public order. The Charter also recognizes the right to strike, within the limits established by applicable domestic legislation.

These international and regional instruments carry significant constitutional and legal weight within the Jordanian national context, as affirmed by the jurisprudence of the Jordanian Court of Cassation. The Court has consistently held, including in its Decision No. **2353** of 2007, that legal scholarship and jurisprudence have established that international treaties concluded by States rank above their domestic laws and take precedence in application, even where their provisions conflict with domestic legislation. The Court further stated that the application of international treaties and domestic laws falls within the inherent jurisdiction of the judiciary and cannot be left to the parties to a dispute to selectively determine which treaty or law should apply, as such matters pertain to public order.

In response to these international obligations and as part of the legislative harmonization process, the Jordanian constitutional legislator incorporated this right into the national constitutional framework, recognizing it subject to specific safeguards and conditions. **Article 16** of the Jordanian Constitution guarantees the right of Jordanians to assemble within the limits of the law. It also guarantees their right to establish associations, trade unions, and political parties, provided that their purposes are legitimate, their means are peaceful, and their internal rules do not contravene the provisions of the Constitution. The Constitution further delegates to ordinary legislation the task of regulating the procedures for establishing such entities and supervising their resources.

Pursuant to this constitutional delegation, which occupies the highest level of the Jordanian legislative hierarchy, a number of laws have been enacted to regulate the exercise of these rights and establish a range of procedural and substantive restrictions, foremost among them the Public

Gatherings Law and its amendments. However, such legislative regulation is not unrestricted. The ordinary legislature remains subject to the strict constitutional safeguard established under **Article 128** of the Constitution, which expressly provides that laws enacted under the Constitution to regulate rights and freedoms may not affect the substance of those rights or undermine their fundamental elements. This establishes a delicate balance between the requirements of legal regulation and the imperative of safeguarding constitutionally protected rights.

3.4.1 Legislative Approach to the Public Gatherings Law and Its Administrative Application

At the level of secondary legislation governing these rights, **Article 3** of the Public Gatherings Law **No. 7** of 2007 recognizes the right of Jordanians to hold public meetings or organize marches, provided that the exercise of this right does not contravene **Articles 4** and **5** of the same Law. **Article 4** sets out a number of procedural requirements governing the exercise of this right, which are generally classified in legal scholarship as reasonable and permissible regulatory restrictions. In particular, paragraph (a) requires written notification of the intended public meeting or march to be submitted to the competent administrative governor at least **48** hours before the scheduled event. Paragraph (b) further requires the notification to include the names, addresses, and signatures of the organizers, the purpose of the activity, and the precise time and location at which it is to take place. **Article 5**, meanwhile, provides that any public meeting held or march organized in violation of the provisions of the Law and the regulations issued thereunder shall be deemed unlawful.

The principal legal concern arising from this legislation lies in **Article 6**, which grants the administrative governor broad authority to take all necessary security measures and procedures to maintain security and public order and protect public and private property during the holding of a public meeting or the course of a march. This provision raises significant legal and substantive questions regarding the scope and meaning of the term “maintaining security and public order.” The powers granted to administrative governors under this provision are broadly framed and lack sufficiently defined safeguards or limitations to establish clear boundaries for their exercise. In particular, the legislature’s use of the broad phrase “all necessary security measures and procedures”

leaves the assessment of the grounds and circumstances of necessity largely subject to the individual discretion and personal judgment of the administrative governor, rather than objective and clearly defined standards.

This legislative ambiguity has been reflected in recent practical applications of the Public Gatherings Law. Although the current legislative framework requires only notification to the administrative governor and does not formally require prior authorization, contemporary administrative practice has witnessed a notable expansion in the interpretation and application of the law, effectively transforming the notification requirement into a de facto requirement for prior approval. This restrictive approach has extended to meetings held by cultural and professional organizations and associations. One prominent example involved the Jordanian Writers Association, which was reportedly required by the Governor of Amman to obtain prior administrative approval before holding any meetings at its premises. The measure prompted widespread protests among cultural circles and Association members, who regarded it as departing from the legislative purpose of the Law and undermining the constitutional guarantee of freedom of assembly.

3.4.2 The Crime Prevention Law and the Administrative Formations Regulation under Judicial Review

In a related context concerning the protection of individual rights, the Crime Prevention Law grants administrative governors exceptionally broad discretionary powers to issue detention orders, relying on broadly worded provisions that allow considerable scope for expansive legislative interpretation and administrative application. **Article 3** of the Law provides, in substance, that where the district governor or governor receives information, or has reason to believe, that a person within their jurisdiction belongs to any of the categories specified by law, and considers that sufficient grounds exist for taking action, the governor may issue a summons in the form prescribed in the First Schedule to the Law. The person is thereby required to appear before the governor and explain whether there are grounds preventing them from being bound by an undertaking, either with or without sureties, whereby they undertake to maintain good conduct for a period determined by the governor, provided that it does not exceed one year.

Under the legislative framework, these categories include persons found in public or private places under circumstances that lead the governor to believe that they were about to commit an offence or assist in its commission; persons habitually engaged in theft or robbery, possessing stolen property, protecting or sheltering thieves, or assisting in concealing or disposing of stolen property; as well as persons whose release without security is considered to pose a danger to the public. These broad grounds and the extensive discretionary powers associated with them have prompted the United Nations Committee against Torture to raise a number of concerns and issue recommendations regarding the Law and its implementation, particularly in relation to safeguards against arbitrary detention and the protection of fundamental rights.

This legislative delegation was complemented by the Administrative Formations Regulation **No. 47** of 2000, which granted administrative governors broad discretionary powers to take preventive measures aimed at maintaining public order and stability and safeguarding public and personal safety. **Article 10** of the Regulation provides that the governor shall perform all functions and duties assigned to them under applicable legislation, including those set out in paragraph (b), namely maintaining public security and stability, safeguarding public and personal safety, and taking the necessary preventive measures to that end, as well as the obligation under paragraph (c) to maintain public order and public morals and to ensure the well-being and tranquillity of citizens.

However, the Jordanian administrative judiciary has taken a firm approach to defining and circumscribing these concepts in order to prevent administrative overreach. Administrative Court Decision **No. 108** of 2016, issued on 29 May 2016, represented a significant development in clarifying the scope and meaning of maintaining security, stability, public safety, and the safety of individuals and their property. In its judgment, the Court held that the governor's authority to maintain security, stability, public safety, and the safety of individuals and their property, and to take the necessary preventive measures in this regard, is strictly confined to material acts that are capable of causing harm to an interest of a general nature. The Court further reasoned that where acts threatening public safety or public security are capable of harming the interests of specific individuals, preventing such acts does not fall within the governor's jurisdiction, as the governor's mandate is limited to

maintaining public order. Harm to the interests of specifically identified individuals does not, in itself, constitute a disturbance of public order. Accordingly, the Court held that the administrative decision challenged in that case was unlawful and should therefore be annulled.⁴⁰

3.4.3 The Anti-Terrorism Law and the Limits of Criminal Law from an International Perspective

Within the framework of legislative measures that may restrict the right to peaceful assembly and freedom of association, the Anti-Terrorism Law No. 55 of 2006, as amended in 2014, constitutes one of the principal legal frameworks with a direct impact in this context. Article 2 of the Law provides a broad definition of a terrorist act, encompassing any intentional act, threat to commit such an act, or failure to act, regardless of its motives, purposes, or means, carried out in furtherance of an individual or collective criminal project that is capable of endangering the safety and security of society or causing discord, where such conduct may result in disturbing public order, spreading fear or terror among the population, endangering lives, damaging the environment, public or private facilities and property, international facilities, or diplomatic missions, occupying or seizing any of these, endangering national or economic resources, compelling a legitimate authority or an international or regional organization to perform or refrain from performing an act, or obstructing the implementation of the Constitution, laws, or regulations.

This broad definition has raised concerns among United Nations human rights bodies. In its recommendations issued in 2017 concerning counter-terrorism measures, the United Nations Human Rights Committee expressed serious concern regarding the provisions of the Anti-Terrorism Law of 2006 and its 2014 amendments. The Committee considered that the broadening of the definition of terrorism to encompass acts such as disturbing public order, conduct that sows discord, and online activities that support or disseminate the ideas of terrorist groups constitutes overly broad and vague provisions that could enable the authorities to detain and prosecute individuals, including those exercising their constitutional and inherent rights to freedom of expression and peaceful assembly. The Committee also expressed particular concern about the incorporation of this broad definition into a wider framework of security measures, including the exercise of arrest and detention powers by the police and intelligence services and the referral of defendants to the

State Security Court, whose judges are appointed by the executive authority. In the Committee's view, such practices are inconsistent with the safeguards established under **Articles 2, 9, 14, 19, and 21** of the International Covenant on Civil and Political Rights (ICCPR).

Restrictions are not limited to counter-terrorism legislation but may, in some instances, extend to the use of provisions of the ordinary Penal Code to restrict the right to assembly. One example is the prosecution of individuals for participating in an unlawful gathering. **Article 165(1)** of the Penal Code provides for the punishment of anyone who participates in an unlawful gathering with imprisonment for a period not exceeding one year, a fine not exceeding JOD 25, or both penalties. Paragraph **2** provides for the punishment of anyone who participates in a riot with imprisonment for a period not exceeding one year, a fine not exceeding JOD 50, or both penalties.

Against this background, the practical and social reality reflects the impact of procedural and substantive restrictions imposed by national legislation on the effective exercise of the rights to peaceful assembly and freedom of association and trade union activity. In practice, these provisions and broadly framed legal concepts may be interpreted and applied in ways that restrict the exercise of these freedoms to the narrowest possible scope. This contributes to a climate of apprehension and fear among many citizens and may ultimately discourage them from exercising their constitutionally guaranteed rights due to concerns about potential administrative or judicial prosecution.

3.5 Freedom of Movement

Freedom of movement constitutes a fundamental pillar of the human rights framework. It extends beyond being merely an individual right to serve as an essential enabler for the exercise of a broad range of civil, political, economic, and social rights. It is also a practical manifestation of the principle of human dignity and an expression of individual autonomy in making decisions concerning one's place of residence, employment, and way of life.

As one of the oldest and most firmly established human rights for which humanity has struggled throughout history, freedom of movement is not merely a privilege granted by law; rather, it represents a fundamental expression of human dignity and individual autonomy. At its core, freedom of movement reflects an individual's ability to determine their geographical, social, and economic trajectory, thereby constituting a cornerstone of free and prosperous societies. It is not only a right in its own standing but also an essential enabler of a wide range of other rights, including the rights to work, education, health care, political participation, and a dignified life.

Freedom of movement also extends beyond being a purely legal concept to constitute a central subject in philosophical, political, and economic scholarship. From a liberal philosophical perspective, freedom of movement embodies the principle of individual liberty. Thinkers such as John Locke⁴¹ and John Stuart Mill⁴² argued that an individual's ability to move freely is an essential condition for self-realization and effective participation in society. In economic scholarship, freedom of movement is regarded as a driver of economic growth and human development, as it enables individuals to seek better opportunities, transfer skills and knowledge, and participate in global labour markets, thereby enhancing economic efficiency and reducing poverty. Numerous studies have demonstrated that restrictions on freedom of movement, whether internal or external, can impede economic development and exacerbate social inequalities.

3.5.1 Constitutional Framework

Freedom of movement is rooted in the liberal philosophical tradition, which places the individual and individual liberty at the centre of the social and legal order. At the international level, this right is

unequivocally recognized in **Article 13**⁴³ of the Universal Declaration of Human Rights⁴⁴ and further elaborated in **Article 12**⁴⁵ of the International Covenant on Civil and Political Rights (ICCPR), thereby establishing a binding treaty obligation for States Parties. Freedom of movement is not limited to geographical mobility but encompasses three principal dimensions that collectively constitute the substance of this right. The first is freedom of internal movement, which includes the right of individuals to move freely and choose their place of residence within the territory of their State without unlawful or arbitrary restrictions. The second is the right to leave, namely, the right of an individual to leave their country at any time, a freedom that is fundamental to the exercise of the right to travel and seek asylum. The third is the right to return, which entails the right of an individual to return to their own country, and a State may not arbitrarily prevent its nationals from returning for any reason.

In Jordan, freedom of movement is recognized as a fundamental constitutional right, enshrined in Chapter Two of the Jordanian Constitution of 1952 and its subsequent amendments. **Article 9** constitutes a cornerstone of the protection of this right, expressly providing in paragraph 2⁴⁶ that no Jordanian citizen may be prohibited from residing or moving freely except in circumstances prescribed by law. This provision establishes the principles of freedom of internal movement and the prohibition of arbitrary restrictions on residence, while imposing a constitutional requirement that any restriction on this right must be grounded in a legislative provision enacted by the competent legislative authority rather than in an unfettered administrative decision. This right is further reinforced by **Article 7**⁴⁷, which safeguards personal liberty, and **Article 128(1)**, which provides that “laws issued under this Constitution to regulate the rights and freedoms shall not affect the essence of these rights or undermine their fundamentals.”⁴⁸ Accordingly, legislation imposing restrictions on freedom of movement, such as the Passports Law or the Crime Prevention Law, must remain within the narrow limits established by **Article 9** and provide the necessary judicial safeguards. Nevertheless, legal debate continues regarding the compatibility of the powers vested in administrative governors under the Crime Prevention Law to restrict freedom of movement with the spirit of the constitutional framework, which places particular emphasis on the protection of individual liberties.

3.5.2 Jordan in Global Indices

International organizations and research institutions attach considerable importance to measuring freedom of movement as part of their broader assessments of civil liberties and human rights. In indices such as the “Human Freedom Index”, published by the Cato Institute and the Fraser⁴⁹ Institute, and Freedom House’s⁵⁰ “Freedom in the World” report, freedom of movement constitutes one of the key components contributing to the overall assessment of countries. These indices do not merely assess the legal framework governing this right but also examine its practical implementation and informal restrictions that may affect its exercise.

Within the context of these comparative assessments, Jordan is generally ranked at an intermediate to relatively advanced level within the Arab region, reflecting a broadly permissive environment for the exercise of freedom of movement while also indicating areas for further improvement in practical implementation. For example, some reports indicate that Jordan performs relatively well with respect to internal freedom of movement compared with certain countries in the region, while facing challenges in specific areas related to administrative restrictions or the impact of certain preventive laws and measures on freedom of movement. In addition, indices such as the (Henley Passport Index),⁵¹ which measures passport strength and the ability of citizens to travel internationally, provide a complementary perspective on the external dimension of freedom of movement and the extent to which Jordanian citizens are able to exercise international mobility.

Human freedom\ year & rank	2000	2005	2007	2009	2011	2013	2015	2017	2019	2021	2022	2023
Movement	7.7	7.7	7.7	7.7	7.7	7.7	7.7	7.6	7.7	6.0	7.7	7.7
Freedom of movement, V-Dem	8.7	8.7	8.7	8.7	8.8	8.7	8.7	8.6	8.8	8.7	8.7	8.7
Freedom of movement, CLD	6.7	6.7	6.7	6.7	6.7	6.7	6.7	6.7	6.7	3.3	6.7	6.7

Table (12): Jordan's Historical Ranking in the Freedom of Movement Index

3.5.3 Freedom of Internal Movement

Freedom of internal movement refers to the right of an individual to move freely and choose their place of residence within the territory of

of the State, without unlawful or arbitrary restrictions. Although this right is constitutionally guaranteed in Jordan, it faces practical challenges, particularly in relation to administrative detention under the Crime Prevention Law No. 7 of 1954. This law grants administrative governors broad discretionary powers to impose restrictions on individuals' movement or residence on preventive grounds, without requiring a prior judicial order. This raises significant legal and human rights concerns regarding the compatibility of administrative practices with the constitutional and legal safeguards governing freedom of movement.

In its Twenty-First Annual Report on the Human Rights Situation in Jordan for 2024, the National Centre for Human Rights recommended the adoption of concrete measures to limit recourse to administrative detention, which is exercised by administrative governors pursuant to the Crime Prevention Law No. 7 of 1954. The Centre reported that approximately 19,000 persons were subject to judicial detention in 2023, compared with 37,395 persons subject to administrative detention during the same year. In 2024, a total of 20,437 persons⁵² were administratively detained. The Administrative Formations Regulation⁵³ No. 47 of 2000 likewise confers broad powers on administrative governors to maintain security and stability and to take preventive measures to that end.

According to Dr. Mahmoud Ababneh,⁵⁴ administrative detention constitutes one of the measures that the law authorises administrative governors to employ in the exercise of their mandate to maintain public order under ordinary circumstances, pursuant to the Crime Prevention Law of 1954. This system has been subject to several criticisms, most notably the fact that administrative detention may be imposed by an administrative governor, who is not a judicial authority, and that the safeguards and procedural rules governing such detention are insufficient. This may constitute an infringement of personal liberty and may adversely affect constitutionally guaranteed rights and freedoms, including freedom of movement, the right of access to justice, and the right to a fair trial. Moreover, the system raises concerns regarding its compatibility with fundamental principles of criminal law, including the presumption of innocence and the principle of legality, according to which there can be no crime or punishment except by law.

Finally, an examination of the judicial review exercised by the Jordanian High Court of Justice, which had jurisdiction over challenges to

administrative decisions, further indicates that such review has not always provided adequate oversight of all aspects of administrative decision-making, whether with regard to the annulment of administrative decisions or the rules governing liability and compensation.

3.5.4 Freedom to Leave the Country

Freedom to leave one's country constitutes a fundamental human right that guarantees an individual's ability to leave their country whenever they choose. It is essential for the exercise of other rights, including the right to work, education, travel, and seek asylum. In Jordan, although freedom of movement is generally constitutionally guaranteed, freedom to leave the country faces challenges, particularly in cases involving travel bans, especially those arising from financial debts.

Following the expiry of the defence orders relating to the imprisonment of debtors, travel bans arising from financial enforcement proceedings were reinstated and applied to thousands of Jordanians. Estimates indicate that the number of persons subject to judicial claims in financial cases exceeded 155,000 in 2022, meaning that a significant number of individuals may have been subject to travel bans. This situation raises legal and human rights concerns regarding the balance between the creditor's right to recover debts and the debtor's right to freedom of movement, including the ability to seek employment or sources of income that may enable them to repay their debts.

3.5.5 Right to Return

The right to return constitutes a fundamental and essential right that should not be subject to arbitrary interference. It guarantees an individual's right to return to their country, and a State may not prevent its nationals from returning for any reason. This right is guaranteed under international human rights law,⁵⁵ particularly Article 13 of the Universal Declaration of Human Rights and Article 12 of the International Covenant on Civil and Political Rights.

The right to return extends beyond the purely geographical dimension to encompass identity-related, social, and economic dimensions. In the Jordanian context, issues concerning the right to return are less prominent as a direct restriction on freedom of movement than restrictions on internal movement. However, challenges may arise in

exceptional cases involving the withdrawal of nationality, which may constitute a violation of international law where it results in statelessness or deprivation of the right to return.

3.5.6 Judicial and Administrative Safeguards

Judicial and administrative safeguards are essential to the protection of freedom of movement. The Jordanian Constitution and relevant legislation require that any restrictions on this right be prescribed by law and remain subject to judicial review, thereby ensuring compliance with the principles of legality and the rule of law. Nevertheless, certain practices associated with the implementation of the Crime Prevention Law may result in restrictions on freedom of movement through administrative decisions, potentially weakening these safeguards, particularly where travel bans or restrictions on residence are imposed without prior judicial oversight.

Strengthening these safeguards requires that restrictions on freedom of movement be confined to the narrowest possible scope and be subject to clear legal standards, including compliance with the principles of necessity and proportionality, the requirement to provide reasons for administrative decisions, and the effective exercise of the right to challenge such decisions before the courts. Effective prior judicial review of decisions affecting freedom of movement is essential to preventing the arbitrary exercise of power and ensuring that preventive measures do not become indirect substitutes for judicially imposed penalties.

In this context, the development of administrative mechanisms that enhance transparency is of particular importance, especially through the digitalisation of systems for inquiring about travel bans or restrictions on movement. Such mechanisms would ensure individuals' right to obtain prior knowledge of their legal status, strengthen public confidence in the administration, and contribute to achieving the necessary balance between the requirements of maintaining public security and public order, on the one hand, and safeguarding fundamental rights and freedoms—foremost among them freedom of movement—on the other.

4. Results and Interpretation

4.1 Freedom of Opinion and Expression - Attribute Measurement Framework

The following table presents the methodological components underpinning the results of this dimension, with the areas of focus distributed across the adopted attributes and sub-indicators.

Attribute	Sub-Indicator	Areas of Focus
Structural Protection	Constitutional Safeguards	Assessing the adequacy of the provisions governing freedom of opinion, freedom of the press, the Press and Publications Law, the State Secrets Protection Law, the Right to Access Information Law, and other legislative aspects falling within the scope of the structural protection of this right.
	Regulatory Legislative Frameworks	
Operational Efforts	The Reality of Field Practice	Measuring freedom of opinion and expression practices and journalistic practices in practice; assessing journalists' perceptions of safety and the availability of professional and legal training; in addition to monitoring pluralism across radio stations and television channels, as well as all aspects related to mechanisms for measuring the operational efforts undertaken.
	Professional Environment and Safety	
	Information Flow and Pluralism	
Outcomes and Safeguards	Impact of Restrictive Legislation	Measuring the impact of laws regulating journalistic work and cybercrimes, the effectiveness of mechanisms for protecting journalists, and the application of criminal and penal laws, as well as other procedural tools that reflect the level of results achieved and safeguards in place.
	Independence and Redress Mechanisms	

Table (13): Measurement Framework for the Attributes of the First Dimension: "Freedom of Opinion and Expression."

4.1.1 Presentation of Results

The following table presents the findings and implications, on a scale of (0–1), for the attributes constituting the dimension, as well as the percentage score for the dimension as a whole.

Overall Score for the Dimension 48.8%			
#	Structural Protection	Operational Efforts	Results and Safeguards
Value	0.53	0.45	0.51
Interpretation	Partial Fulfilment	Limited Fulfilment	Partial Fulfilment

Table (14): Results and Interpretation of the "Freedom of Opinion and Expression" Dimension

4.1.2 Interpretation and Linkages

An in-depth reading of the attributes measuring freedom of opinion and expression reveals a state of systematic variation in levels of fulfilment. The “Structural Protection” attribute, with a value of **0.53**, emerges as a normative framework that establishes the right at the constitutional and legislative levels, reflecting a theoretical commitment to international standards. However, this commitment is confronted by a clear decline in the “Operational Efforts” attribute, which recorded **0.45**, the lowest value. This reveals a fundamental challenge in the implementation environment, as the compliance gap of **0.08** between the legal framework and practice indicates that the right to freedom of expression faces procedural obstacles and pressures in practice, contributing to the growing phenomenon of self-censorship and a decline in stakeholders' sense of professional security, thereby undermining the functional value of legal safeguards.

In the same context, the “Results and Safeguards” attribute, with a value of **0.51**, reflects a state of uneasy balance between the effectiveness of oversight institutions and the impact of incidental and restrictive legislation that has increasingly encroached upon the inherent right to participate in the public sphere. This weakens the capacity of institutional safeguards to provide comprehensive and stable protection.

Based on the philosophy of the Index, this numerical distribution diagnoses the deficiencies in the “enabling environment” for the exercise

of the right. The gap between legal guarantees and lived reality remains the area requiring policy interventions to ensure that structural gains are not eroded by the pressures of daily practice. Bridging this gap is therefore essential to move the right from the realm of theoretical existence to that of genuine effectiveness.

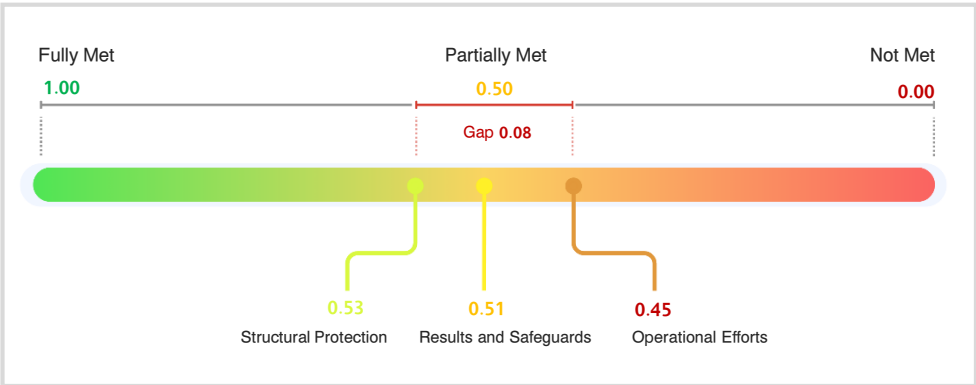


Figure (3): Measurement of the Implementation Gap for the First Dimension

4.2 Political Participation Dimension – Attribute Measurement Framework

The following table presents the methodological components underpinning the results of this dimension, with the areas of focus distributed across the adopted attributes and sub-indicators.

Attribute	Sub-Indicator	Areas of Focus
Structural Protection	Constitutional Safeguards	Measuring the adequacy of the legislative frameworks governing political life, including the new Political Parties Law and the Law on the Election of the House of Representatives, as well as the criteria governing the minimum age for candidacy and safeguards for fair representation through the quota system, and all aspects related to the robustness of the legal framework governing the political process.
	Regulatory Legislative Frameworks	
Operational Efforts	The Reality of Field Practice	Assessing the reality of political party practices on the ground, the level of youth engagement in parliamentary work, and the effectiveness of the digital space and social media platforms as tools for participation, in addition to monitoring levels of public political awareness and the effectiveness of local councils in promoting popular participation.
	Professional Environment and Safety	
	Information Flow and Pluralism	
Outcomes and Safeguards	Impact of Restrictive Legislation	Measuring the actual impact of the Political Modernization Vision, the level of public trust in the oversight and legislative performance of the House of Representatives, and the general perception of the value of participation in decision-making, in addition to assessing the integrity of the handling of national issues and the extent to which genuine political will exists to develop political party life.
	Independence and Redress Mechanisms	

Table (15): Measurement Framework for the Attributes of the Second Dimension: "Political Participation."

4.2.1 Presentation of Results

The following table presents the findings and implications, on a scale of (0–1), for the attributes constituting the dimension, as well as the percentage score for the dimension as a whole.

Overall Score for the Dimension 52.1%			
#	Structural Protection	Operational Efforts	Results and Safeguards
Value	0.55	0.57	0.46
Interpretation	Partial Fulfilment	Partial Fulfilment	Limited Fulfilment

Table (16): Results and Interpretation of the “Political Participation” Dimension

4.2.2 Interpretation and Linkages

An in-depth reading of the attributes of political participation reveals a state of positive balance between levels of awareness and legislation, contrasted with a tangible challenge in terms of results and safeguards. The “Operational Efforts” attribute, with a value of **0.57**, stands out as the highest score, reflecting growing societal engagement and political awareness, particularly in the digital space and among young people, closely aligned with the “Structural Protection” attribute, which recorded **0.55**, reflecting a relative acceptance of the new legislative framework represented by the electoral and political parties laws.

However, this alignment between awareness and the legal framework is confronted by a sharp decline in the “Results and Safeguards” attribute, which recorded **0.46**, the only value to fall below the halfway threshold. This reveals a clear impact gap of **0.11** between the efforts exerted and the results achieved.

This numerical difference embodies the fundamental challenge within this dimension: stakeholders perceive the existence of momentum and legislation (effort), but do not perceive a tangible impact on the quality of parliamentary outputs or on the perceived value of political participation in decision-making. Based on the philosophy of the Index, this distribution diagnoses a deficiency in the “institutional trust and effectiveness system”, indicating that the attribute requiring intensive focus is Results and Safeguards, to ensure that practical and legislative

efforts are translated into tangible democratic gains that enhance citizens' confidence in the political process as a whole.

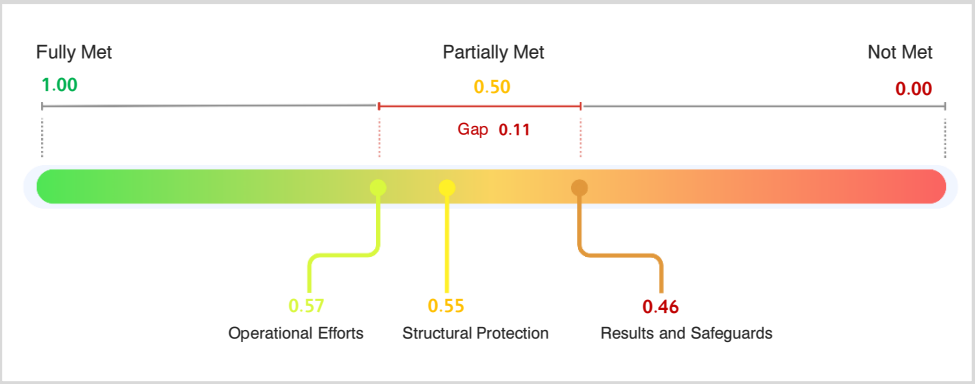


Figure (4): Measurement of the Implementation Gap for the Second Dimension

4.3 Rule of Law Dimension – Attribute Measurement Framework

The following table presents the methodological components underpinning the results of this dimension, with the areas of focus distributed across the adopted attributes and sub-indicators.

Attribute	Sub-Indicator	Areas of Focus
Structural Protection	Constitutional Safeguards	Measuring the adequacy of the principle of the rule of law as enshrined in the Jordanian Constitution, and assessing the constitutional provisions relating to non-discrimination and the protection of personal liberty, in addition to the extent of compliance with the provisions of the National Charter as a reference framework for structural protection.
	Regulatory Legislative Frameworks	
Operational Efforts	The Reality of Field Practice	Measuring the practical application of the rule of law in daily practices, assessing the extent to which such practices are free from discrimination among citizens, in addition to monitoring the quality of timely justice and the prompt adjudication of cases, and all aspects related to mechanisms for measuring operational efforts in the judicial and administrative fields.
	Professional Environment and Safety	
	Information Flow and Pluralism	
Outcomes and Safeguards	Impact of Restrictive Legislation	Measuring the actual compliance with procedural safeguards upon arrest or detention, the seriousness of investigations into allegations of ill-treatment in places of detention, in addition to assessing the practical impact of the Crime Prevention Law, and other instruments that reflect the level of results and safeguards achieved for individuals.
	Independence and Redress Mechanisms	

Table (17): Measurement Framework for the Attributes of the Third Dimension: “Rule of Law”

4.3.1 Presentation of Results

The following table presents the findings and implications, on a scale of (0–1), for the attributes constituting the dimension, as well as the percentage score for the dimension as a whole.

Overall Score for the Dimension 69.8%			
#	Structural Protection	Operational Efforts	Results and Safeguards
Value	0.75	0.66	0.69
Interpretation	Advanced Fulfilment	Moderate Fulfilment	Moderate Fulfilment

Table (18): Results and Interpretation of the “Rule of Law” Dimension

4.3.2 Interpretation and Linkages

The Rule of Law and Procedural Safeguards dimension recorded results reflecting a state of advanced institutional maturity, with the “Structural Protection” attribute recording the highest score of (0.75). This confirms that the principle of the rule of law in Jordan is grounded in a robust constitutional foundation that represents a high-level normative commitment, theoretically protecting individuals against administrative overreach. Nevertheless, this legislative strength faces a relative challenge in the “Operational Efforts” attribute, which recorded (0.66), revealing a compliance gap of (0.09) that represents the distance between the authority of the constitutional text and the flexibility of procedural application.

This limited decline in practical implementation indicates that the challenge of equality before the law does not lie in the absence of principles, but rather in the capacity of the bureaucracy to prevent the exercise of discretionary authority from becoming selective and to ensure timely justice without discrimination. In the same context, the “Results and Safeguards” attribute, with a score of (0.69), reflects a state of active institutional oversight, indicating the existence of mechanisms for accountability and investigation into procedural violations, while these mechanisms still lack the full impact required to completely eliminate administrative overreach associated with certain subsidiary laws.

Based on the philosophy of the Index, this numerical distribution diagnoses a state of legal stability that requires greater focus on improving practices on the ground to bridge the gap between constitutional guarantees and lived reality, ensuring that the rule of law moves from being a supreme value enshrined in legal texts to an automatic and established right across all practical procedures.

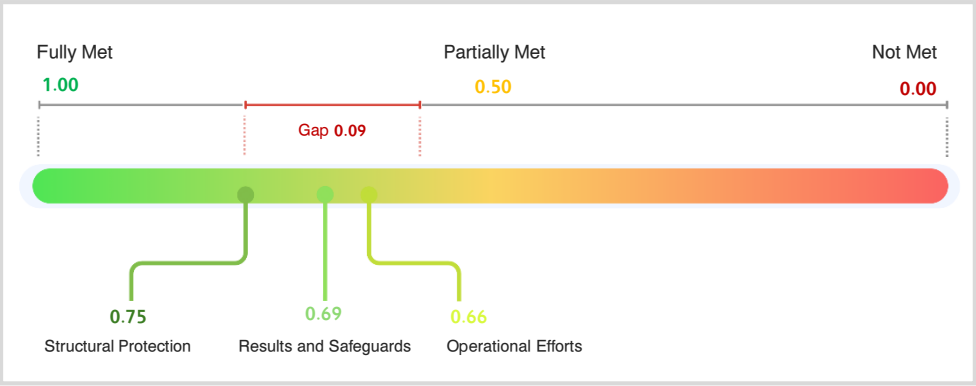


Figure (5): Measurement of the Implementation Gap for the Third Dimension

4.4 Right to Peaceful Assembly Dimension – Attribute Measurement Framework

The following table presents the methodological components underpinning the results of this dimension, with the areas of focus distributed across the adopted attributes and sub-indicators.

Attribute	Sub-Indicator	Areas of Focus
Structural Protection	Constitutional Safeguards	Measuring the adequacy of constitutional provisions guaranteeing the right to peaceful assembly and establishing its legitimacy, the extent to which national legislation is aligned with international standards, in addition to assessing legal restrictions, including prior notification requirements and the right of non-nationals to assemble under applicable laws, as part of Structural Protection.
	Regulatory Legislative Frameworks	
Operational Efforts	The Reality of Field Practice	Measuring the general environment for exercising the right to peaceful assembly in practice, assessing the availability of suitable public spaces, monitoring the compliance of organizing authorities with legal requirements, in addition to assessing the impact of participation in protests on individuals' civil and employment rights, and all aspects related to mechanisms for measuring Operational Efforts on the ground.
	Professional Environment and Safety	
	Information Flow and Pluralism	
Outcomes and Safeguards	Impact of Restrictive Legislation	Measuring the gap between security regulation and administrative restriction in the practices of administrative governors, and the impact of applying laws such as the Anti-Terrorism Law in characterizing acts associated with protests, in addition to assessing the role of national institutions in monitoring and documenting violations, and other instruments that reflect the level of Results and Safeguards achieved.
	Independence and Redress Mechanisms	

Table (19): Measurement Framework for the Attributes of the Fourth Dimension: "Right to Peaceful Assembly"

4.4.1 Presentation of Results

The following table presents the findings and implications, on a scale of (0–1), for the attributes constituting the dimension, as well as the percentage score for the dimension as a whole.

Overall Score for the Dimension 44.7%			
#	Structural Protection	Operational Efforts	Results and Safeguards
Value	0.5	0.43	0.43
Interpretation	Partial Fulfilment	Limited Fulfilment	Limited Fulfilment

Table (20): Results and Interpretation of the “Right to Peaceful Assembly” Dimension

4.4.2 Interpretation and Linkages

An in-depth reading of the attributes of the right to peaceful assembly reveals a state of rights regression that places this dimension within the category of “Limited Fulfilment”, with the “Structural Protection” attribute standing at (0.50). This accurately represents the critical point of transition between the theoretical existence of the right and its restriction. While the Constitution guarantees the right of assembly, subsidiary laws and procedural requirements subject this right to narrow administrative constraints. The deeper challenge is reflected in the identical scores recorded for both “Operational Efforts” and “Results and Safeguards”, at (0.43), the lowest scores, revealing a compliance gap of (0.07) between the legal framework and practice.

This uniform decline in both practice and safeguards indicates that the practical environment for peaceful assembly faces simultaneous structural and procedural pressures, as security regulation intersects with administrative restrictions, generating a general sense of caution regarding participation in protests for fear of legal or employment-related repercussions.

Based on the philosophy of the Index, this numerical distribution diagnoses a state of “securitization of public space,” whereby administrative restrictions and the impact of penal laws deprive constitutional safeguards of their substantive effect, making this dimension the one most in need of comprehensive review to bridge the

gap between the constitutional promise and the reality on the ground, and to ensure the restoration of peaceful assembly as an effective and legitimate means of expression and participation.

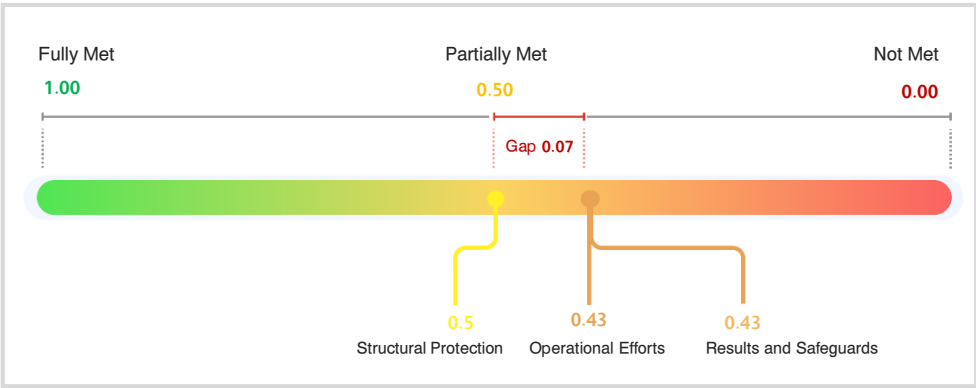


Figure (6): Measurement of the Implementation Gap for the Fourth Dimension

4.5 Right to Freedom of Movement Dimension – Attribute Measurement Framework

The following table presents the methodological components underpinning the results of this dimension, with the areas of focus distributed across the adopted attributes and sub-indicators.

Attribute	Sub-Indicator	Areas of Focus
Structural Protection	Constitutional Safeguards	Measuring the adequacy of constitutional provisions protecting citizens' right to freedom of movement and residence, the level of alignment of national laws with international standards, in addition to assessing the legislative frameworks governing the issuance and renewal of passports as an essential requirement for exercising this right, and all aspects falling within the scope of Structural Protection.
	Regulatory Legislative Frameworks	
Operational Efforts	The Reality of Field Practice	Measuring the accessibility and transparency of procedures for inquiring about travel restrictions, assessing the impact of electronic integration among government agencies on the speed of implementing or lifting such restrictions, in addition to monitoring the actual exercise of the right to freedom of movement abroad and the availability of the necessary procedural facilities, and all aspects related to mechanisms for measuring Operational Efforts on the ground.
	Professional Environment and Safety	
	Information Flow and Pluralism	
Outcomes and Safeguards	Impact of Restrictive Legislation	Measuring the extent to which authorities comply with the principle that freedom of movement may not be restricted except by law, assessing the exercise of administrative governors' authority to impose "compulsory residence," and the extent to which authorities comply with the requirement to provide written and reasoned grounds for travel bans, in addition to monitoring the clarity of the criteria applied in border controls, and other instruments that reflect the level of Results and Safeguards achieved.
	Independence and Redress Mechanisms	

Table (21): Measurement Framework for the Attributes of the Fifth Dimension: "Freedom of Movement."

4.5.1 Presentation of Results

The following table presents the findings and implications, on a scale of (0–1), for the attributes constituting the dimension, as well as the percentage score for the dimension as a whole.

Overall Score for the Dimension 54.2%			
#	Structural Protection	Operational Efforts	Results and Safeguards
Value	0.76	0.67	0.43
Interpretation	Advanced Fulfilment	Moderate Fulfilment	Limited Fulfilment

Table (22): Results and Interpretation of the “Freedom of Movement” Dimension

4.5.2 Interpretation and Linkages

The Freedom of Movement dimension reveals a pronounced state of structural disparity, with the “Structural Protection” attribute recording (0.76), the highest score within this dimension. This reflects the strength of the constitutional and legislative safeguards underpinning the right and placing it at a relatively advanced level in terms of legal recognition. However, this legislative stability is sharply contrasted by a significant decline in the “Results and Safeguards” attribute, which recorded (0.43), revealing the widest implementation gap in the Index as a whole, with the gap between the legal framework and effective safeguards reaching (0.33) points.

This substantial disparity indicates that the right to freedom of movement in Jordan suffers from a form of “procedural disconnect”: while the Constitution elevates the right to a high level of protection, administrative practices—particularly the broad exercise of administrative governors’ powers, such as “compulsory residence”, and informal restrictions on travel—bring its level of fulfilment down considerably.

Although the “Operational Efforts” attribute recorded (0.67), reflecting technological developments and electronic integration that have facilitated routine procedures, such technological progress has not succeeded in protecting the right against administrative overreach in the absence of effective safeguards.

Based on the philosophy of the Index, this dimension reveals a structural weakness in the “procedural protection framework,” with the Results and Safeguards attribute remaining the weakest link and posing a threat to the stability of the right. This necessitates subjecting administrative decisions restricting freedom of movement to rigorous judicial review in order to bridge this substantial gap and ensure that a constitutionally guaranteed right does not become an administrative permission that can be withdrawn at will.

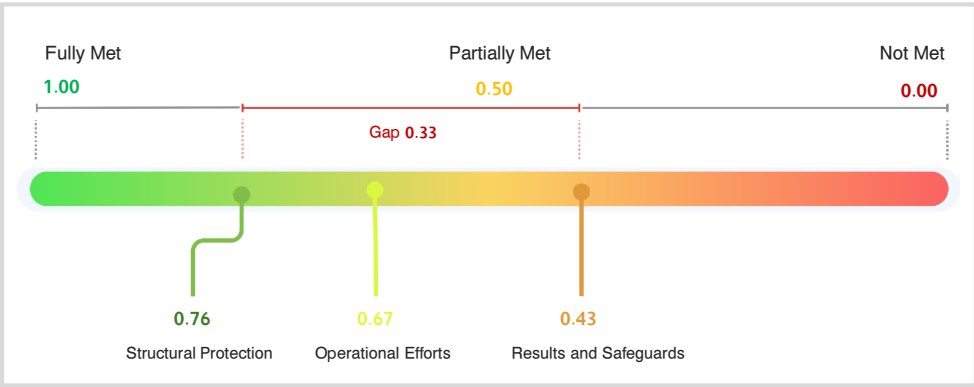


Figure (7): Measurement of the Implementation Gap for the Fifth Dimension

5. Overall Results of the Public Freedoms Index

The measurement process under this Index is not intended merely to monitor violations; rather, it seeks to understand the “dynamic relationship” between constitutional provisions, practical implementation, and institutional safeguards. The numerical score produced by the Index therefore reflects the degree of coherence among these three elements. Public freedom, in essence, is not merely a “protected right in law,” but a “safe practice” and a set of “tangible outcomes” experienced by citizens in their daily lives.

The overall findings provide a roadmap for policymakers, clearly identifying areas of strength on which to build and areas of vulnerability requiring timely intervention. By analysing the “gaps” between legal commitments and lived reality, the Index moves beyond general description towards precise diagnosis, identifying where rights are being constrained and where they are being effectively realised, and how Jordan’s human rights framework can move from a state of “inconsistency” towards greater “consolidation and stability.”

Based on the results of the five dimensions, the overall score of the Public Freedoms Index in Jordan stands at **53.9%**. According to the adopted classification criteria, Jordan's freedom system falls within the category of "Inconsistent Freedoms" (**40–54%**). This result reflects a state of "fragile stability": the system possesses the foundations necessary for continuity and development, but it still lacks the institutional safeguards and practical implementation required to advance to the "Developing Freedoms" category.

The Index's placement within this category indicates that public freedoms remain vulnerable to procedural changes and administrative decisions, making their protection more dependent on short-term political will than on stable and institutionalised safeguards.

Levels of the Freedom System					
Percentage	Below 40%	40 – 54 %	55 – 69 %	70 – 84 %	85 – 100 %
Interpretation	Fragile Freedoms	Inconsistent Freedoms	Developing Freedoms	Advanced Freedoms	Established Freedoms
Methodological Description	Practices vary significantly across sectors and contexts, with inconsistencies between the legislative framework and institutional implementation, necessitating the harmonisation of standards and the strengthening of implementation mechanisms.				

Table (23): The Overall Score of the Index within the Levels of the Freedom System

5.1 Overall Results Table

The table below presents the overall results, including dimension and attribute scores, implementation gaps, and key areas of weakness.

Dimension	Dimension Score	Attribute	Score	Interpretation	Implementation Gap (Largest–Smallest)	Operational Gap (Structural–Efforts)	Reasons for the Gap (Area of Weakness)
Freedom of Opinion and Expression	48.8%	Structural Protection	0.53	Partial Fulfilment	0.08	0.08	Compliance Gap (Legal Provisions vs. Practice)
		Operational Efforts	0.45	Limited Fulfilment			
		Results and Safeguards	0.51	Partial Fulfilment			
Political Participation	52.1%	Structural Protection	0.55	Partial Fulfilment	0.11	0.02-	Impact Gap (Efforts vs. Results)
		Operational Efforts	0.57	Partial Fulfilment			
		Results and Safeguards	0.46	Limited Fulfilment			
Rule of Law	69.8%	Structural Protection	0.75	Advanced Fulfilment	0.09	0.09	Procedural Equality Gap (Implementation)
		Operational Efforts	0.66	Moderate Fulfilment			
		Results and Safeguards	0.69	Moderate Fulfilment			
Right to Peaceful Assembly	44.7%	Structural Protection	0.5	Partial Fulfilment	0.07	0.07	Empowerment Gap (Administrative Restrictions)
		Operational Efforts	0.43	Limited Fulfilment			
		Results and Safeguards	0.43	Limited Fulfilment			
Freedom of Movement	54.2%	Structural Protection	0.76	Advanced Fulfilment	0.33	0.09	Protection Gap (Administrative Overreach)
		Operational Efforts	0.67	Moderate Fulfilment			
		Results and Safeguards	0.43	Limited Fulfilment			

Table (24): Results and Interpretation of Attributes, Dimensions, and Gaps

5.2 Overall Score and Classification of the Freedom System

The overall score of the Public Freedoms Index, at **53.9%**, indicates a **46.1** percentage-point gap from full fulfilment. This gap is primarily attributable to significant variations in “**compliance gaps**” across the attributes comprising the dimensions.

Based on the adopted international standards, all dimensions recorded operational gaps—defined as the difference between (structural protection and operational efforts)—exceeding the threshold of substantive significance (**0.05**). This confirms that the weaknesses within Jordan’s freedom system are fundamentally “**structural and procedural**”, rather than merely temporary or isolated shortcomings.

Positive operational gaps are evident in the dimensions of Freedom of Opinion and Expression (**+0.08**), Rule of Law (**+0.09**), Right to Peaceful Assembly (**+0.07**), and Freedom of Movement (**+0.09**). These values reflect a state of “legal over performance,” whereby the State’s constitutional and legal framework is more developed than the capacity of executive institutions to implement it effectively. As a result, rights may remain largely confined to legal commitments without being fully translated into practical realities.

By contrast, the only negative value appears in Political Participation (**-0.02**), indicating that societal engagement and civic activity demonstrate a level of dynamism that exceeds the existing legal and institutional frameworks. These disparities become more pronounced when examining the “**implementation gap**”, defined as the difference between the highest and lowest score within each dimension. Political Participation recorded a substantial implementation gap of **0.11**, indicating that existing legislative and operational efforts remain insufficient to generate tangible “**results and safeguards**” experienced by citizens. The largest implementation gap was recorded in Freedom of Movement, reaching **0.33**, exceeding the **0.20** threshold associated with a condition of “**structural disconnect**” between constitutional guarantees and administrative overreach.

Taken together, these findings confirm that Jordan’s classification as an “**Inconsistent Freedom System**” is directly linked to these underlying gaps. While structural protection contributes to raising the overall index score, implementation and results gaps exert downward pressure.

Bridging these gaps is therefore essential to transforming freedoms from “static legal provisions” into “lived rights.”

5.2.1 Overall Score Based on the General Average of Results

Based on the methodological criteria of the Index, the overall operational gap—defined as the difference between (overall structural protection and overall operational efforts)—reached **+0.06** points, equivalent to **6%**, exceeding the threshold of substantive significance (**0.05**).

This positive value confirms the persistence of “legal over performance” as a “general characteristic of the system”. “Structural protection” recorded the highest overall performance, with a score of 0.62, indicating a relatively advanced constitutional and legal framework. However, this framework is constrained by a “compliance gap” that prevents the full translation of legal provisions into practice, as reflected in the lower score for operational efforts (0.56).

These disparities become more critical when measuring the “**overall implementation and impact gap**”—defined as the difference between (the highest and lowest attribute scores across the Index)—which reached a significant **+0.12**. This gap is primarily driven by the decline in results and safeguards, which stood at **0.50**. It points to a condition of “**structural procedural disconnect**”; while the strong legislative foundation raises the Index towards Advanced Freedoms (**0.62**), effective safeguards and tangible outcomes on the ground pull it downward towards the fragility zone of rights protection (**0.50**).

This gradual erosion in scores—from “legal provisions” to “results”—structurally explains why Jordan is classified as an “**Inconsistent Freedom System.**” The system suffers from a functional imbalance in which administrative restrictions and procedural practices can undermine the practical substance of constitutional guarantees. Based on these findings, closing the **0.12** implementation gap by strengthening redress mechanisms and judicial oversight, particularly to curb administrative overreach, represents a key pathway towards ensuring the stability of the rights system and advancing it towards greater consolidation and stability.

Overall Score of the General Average of Attributes and the Gap Between Them

#	Structural Protection	Operational Efforts	Results and Safeguards
Value	0.62	0.56	0.50
Interpretation	Partial Fulfilment	Partial Fulfilment	Partial Fulfilment
Gap		Implementation Gap	Operational Gap
Value		0.12	0.06

Table (25): Overall Score of the General Average of Attributes and the Gap Between Them

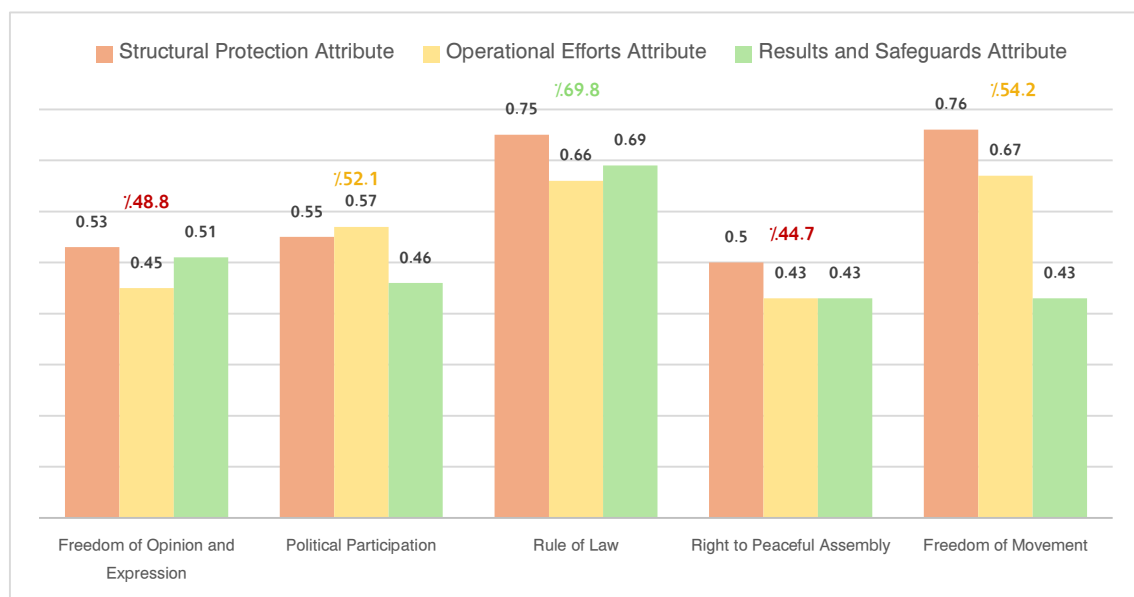


Figure (8): Performance Levels of the Dimensions by Assessment Attributes

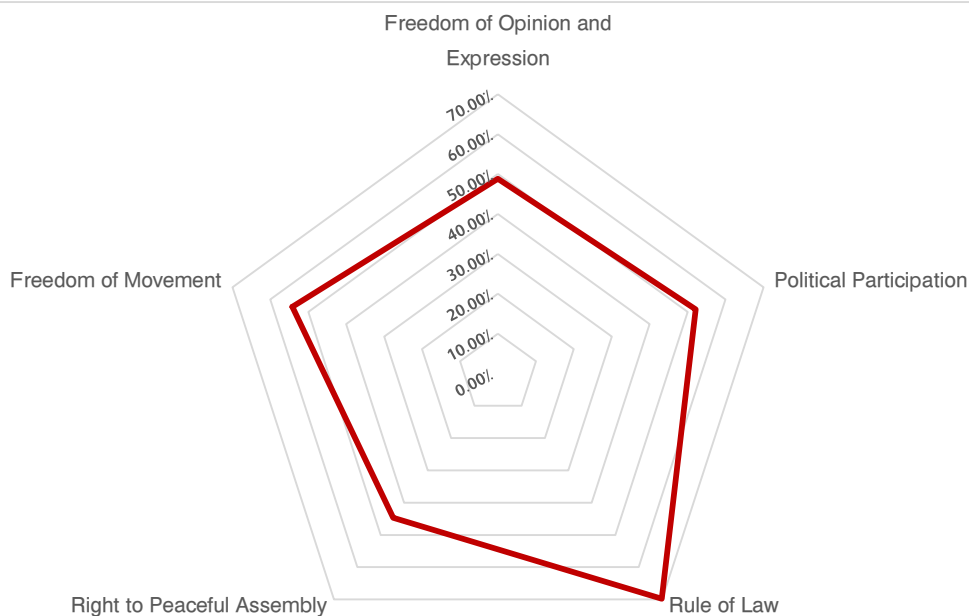


Figure (9): Radar Representation of the Overall Results for the Main Dimensions

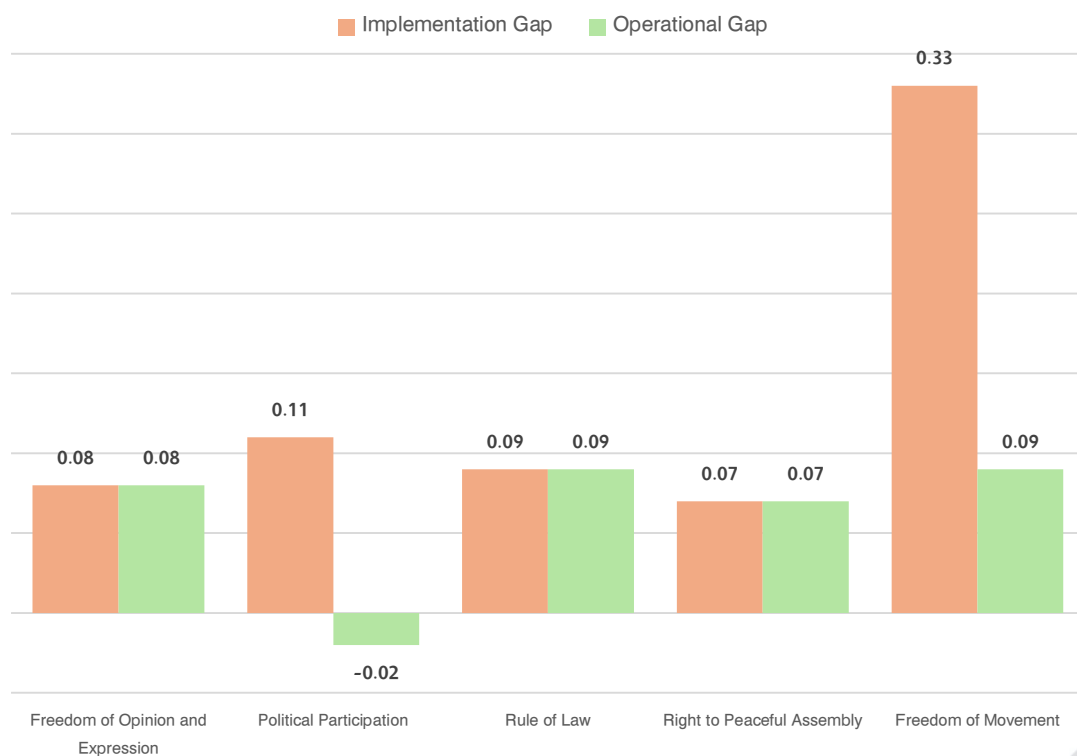


Figure (10): Comparison of the Two Gap Levels Across the Main Dimensions

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31. Article (1/6): "Jordanians shall be equal before the law. There shall be no discrimination among them in rights and duties on grounds of race, language, or religion." Article (2/7): "Any violation of the rights and public freedoms or the sanctity of the private life of Jordanians shall constitute a crime punishable by law." Article 8: "1. No person may be arrested, detained, imprisoned, or have his liberty restricted except in accordance with the provisions of the law. 2. Every person who is arrested, detained, imprisoned, or whose liberty is restricted shall be treated in a manner that preserves his human dignity. No person may be subjected to torture, in any form, or to physical or moral harm. Nor may any person be detained in places other than those permitted by law. Any statement made by any person under the effect of torture, harm, or threat shall have no legal effect."
32. Article 5: "No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment." Article 8: "Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted to him by the constitution or by law." Article 9: "No one shall be subjected to arbitrary arrest, detention, or exile." Article 10: "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him."
33. Article 7: "No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment." Article 9(5): "Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation."
34. See: King Abdullah II. (2016). The Sixth Discussion Paper: The Rule of Law as the Basis of the Civil State, published on the official website of King Abdullah II on 16 October 2016.
<https://kingabdullah.jo/ar/discussion-papers>
35. See the National Centre for Human Rights Annual Report for 2024, p. 28.
<https://nchr.org>
36. See the National Centre for Human Rights Annual Report for 2024, p. 21.
37. See: Report of the Royal Committee for Developing the Judiciary and Enhancing the Rule of Law, p. 58.
<https://www.jc.jo>
38. World Justice Project. Rule of Law Index 2025: Jordan.
<https://worldjusticeproject.org/rule-of-law-index/country/2025/Jordan>
39. GeoFactbook. Rule of Law Index by Country: Jordan.
<https://geofactbook.com/countries/jordan/rule-of-law-index-by-country>
40. See: Al-Arab Al-Youm newspaper, Sunday, 29 February 2004.

41. Administrative Court Judgment No. 108 of 2016, issued on 29 May 2016.
42. Locke, J. (1689). Two Treatises of Government, particularly the discussion of natural rights that the State may not infringe upon, including freedom of movement.
43. Mill, J. S. (1859). On Liberty, widely regarded as a foundational work defending individual autonomy and the individual's right to determine their own social and geographical circumstances.
44. Universal Declaration of Human Rights.
<https://www.un.org/ar/about-us/universal-declaration-of-human-rights>
45. "Everyone has the right to freedom of movement and residence within the borders of each state. Everyone has the right to leave any country, including his own, and to return to his country."
46. International Covenant on Civil and Political Rights (1966), Article 12, which sets out the guarantees and permissible restrictions relating to this right.
<https://www.ohchr.org/ar/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>
47. "No Jordanian shall be prohibited from residing in any place or be prevented from moving, nor shall he be compelled to reside in a particular place, except in the circumstances prescribed by law."
48. Paragraph 1: "Personal liberty shall be safeguarded." Paragraph 2: "Any violation of the rights and public freedoms or the sanctity of the private life of Jordanians shall constitute a crime punishable by law."
49. Paragraph 1: "The laws enacted under this Constitution to regulate rights and freedoms shall not affect the essence of such rights or infringe upon their fundamental principles."
50. Cato Institute. Human Freedom Index.
<https://www.cato.org/search/category/human-freedom-index>
51. Freedom House. Freedom in the World: Research Methodology.
<https://freedomhouse.org/reports/freedom-world/freedom-world-research-methodology>
52. Henley & Partners. Henley Passport Index.
<https://www.henleyglobal.com/passport-index>
53. See the 2024 Annual Report of the National Centre for Human Rights, p. 28. See the 2024 Annual Report of the National Centre for Human Rights, p. 21.
54. Ababneh, Mahmoud Ahmad. (2007). Administrative Detention between Personal Liberty and the Requirements of Public Order. PhD Dissertation submitted to Amman Arab University for Graduate Studies.
55. Universal Declaration of Human Rights.
<https://www.un.org/ar/about-us/universal-declaration-of-human-rights>