CRIMINALIZATION OF PERSONALITY ASSASSINATION VIA ELECTRONIC MEANS

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ABSTRACT

Objective: This study comes to clarify the controls for criminalizing character assassination and identify its elements, by revealing the content and location of the actions of this crime, and showing the features of its criminal confrontation, with the necessity of respecting the rights of people and their freedom to express opinions, based on a broad question created by the new legal construction of the crime of assassination. Personality in terms of its legal meaning, the basis for its criminalization, and the legislator’s plan to confront it.

Methods: In this study, the researcher followed the descriptive approach in presenting the legal text criminalizing character assassination and describing its content, as well as the analytical approach in analyzing the words of the text to determine the scope of criminalization and its limits in light of the new issuance of the Jordanian cybercrime law.

Results: The study drew a series of conclusions, namely, the singling out of Jordanian legislation worldwide by criminalizing the assassination of the personality, but using only electronic means, where the structure of this offense is predominantly technical this makes it difficult, given the blurry legal structure of the offense, to reveal the limits of the criminalization of the assassination of the personality and to seize its elements, with the legislator moving towards expanding the scope of criminalization by giving meaning to assassination without specifying the people it targets, and considering it a serious offense.

Keywords: moral abusing, depersonalization, destruction of the entity, smashing dignity, cybercrimes.

CRIMINALIZAÇÃO DO ASSASSINATO DE PERSONALIDADE VIA MEIOS ELETRÔNICOS

RESUMO

Objetivo: Este estudo vem esclarecer os controles para criminalizar o assassinato de caráter e identificar seus elementos, revelando o conteúdo e localização das ações deste crime, e mostrando as características de seu confronto criminoso, com a necessidade de respeitar os direitos das pessoas e sua liberdade de expressar opiniões, com base em uma ampla questão criada pela nova construção legal do crime de assassinato. Personalidade em termos do seu

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significado jurídico, da base para a sua criminalização e do plano do legislador para a confrontar.

**Métodos:** Neste estudo, o pesquisador seguiu a abordagem descritiva ao apresentar o texto legal criminalizando o assassinato de caráter e descrevendo seu conteúdo, bem como a abordagem analítica na análise das palavras do texto para determinar o escopo da criminalização e seus limites à luz da nova edição da lei jordaniana de crimes cibernéticos.

**Resultados:** O estudo chegou a uma série de conclusões, nomeadamente, o destaque da legislação jordana em todo o mundo, criminalizando o assassinato da personalidade, mas usando apenas meios eletrônicos, onde a estrutura deste delito é predominantemente técnica, o que torna difícil, dado a estrutura jurídica embaçada do delito, revelar os limites da criminalização do assassinato da personalidade e apreender seus elementos, com o legislador avançando no sentido de ampliar o escopo da criminalização, dando sentido ao assassinato sem especificar as pessoas a quem se destina, e considerando-o um delito grave.

**Palavras-chave:** abuso moral, despersonalização, destruição da entidade, quebra da dignidade, cibercrimes.

### 1 INTRODUCTION

Technology, the information network, social media platforms, and websites have become a feature of the modern era, and the use of technology and new science, especially its associated personal pages and social applications, has become the basis of interaction between people at all levels (Barjes, 2021), where reliance on digital technology in business, activities and practices has increased its spread. At the same time, the risks to which people may be exposed have increased, including personal assassination. This requires that users be held responsible for what is posted on their personal pages and websites in order to prevent infringement or abuse of a person's personality (The Truth Guards, 2023).

The penal liability of technology users for what they publish or propagate on their pages or websites is not carried out without criminalization and punishment, even if such practices prejudice the personality or dignity of any person, which necessitates the intervention of the legislator to enact new penal texts, so the Cybercrime Law No. (17) of (2023), where Article (16) criminalizes the assassination of personality via electronic means to achieve public and private deterrence, especially since this type of offense is increasing and becoming more serious with the rapid development of information technology Jordanian (Cybercrime Act, 2023).

The term "assassination" has been commonly used in organized military killings. Physical assassination is the physical liquidation of a person, that is, killing or loss of life for many reasons that may be ethnic, sectarian, religious, political, social,
personal, or other, but the focus of the study of assassination here is completely different, as its topic affects people morally by assaulting their personalities and entities with a view to eliminating them or smashing them without physically liquidating them (Ali, 2020).

The importance of this study lies in indicating the criminalization of the assassination of the personality and determining its elements, after unveiling the content and place of the offense, to delineate the limits between the commission of the assassination and the practice of the constitutional rights and freedoms of opinion and expression. The study also focused on demonstrating the legislative features of the criminal offense of the assassination of the personality, which is a new offense in the legislative structure of the Penal Code, especially since this offense is of a technical nature and is committed exclusively by using electronic means.

The study started from a broad question created by the new legal construction of the crime of character assassination that was unique to the Jordanian legislator in Article 16 of the Electronic Crimes Law of 2023, which raised the following questions:

1. What is the legal meaning of character assassination as a new crime?
2. What is the basis for criminalizing character assassination in light of its legality as a physical act?
3. What is the Jordanian legislator’s plan to confront character assassination as a goal of criminalizing it?

Justifications and objectives of the study. This study answers the research questions posed in an effort to achieve a set of goals represented in the following:

1. Explaining the concept of character assassination and the basis for criminalizing it
2. Trying to uncover the actions committed by the crime of character assassination and identifying its parties
3. Showing the features of the cybercrime law in confronting and combating acts of character assassination.
2 THEORETICAL FRAMEWORK

2.1 THE LEGAL UNDERSTANDING OF PERSONALITY ASSASSINATION AS AN EMERGING OFFENSE

The assassination of personality is a new offense that has emerged worldwide, as it has no definition or concept of its own. However, according to the conclusive reading of Article (16) of the Cybercrime Act, it is an offense that refers to any act against a person’s status and the respect of others by fabricating false news, fabricating false facts or distorting facts about him by electronic means (Ala’a, 2023).

The assassination in Linguistically is: The word is "Ghālāhu" in the sense of {Destructed him - "Ahl ā'kaho" / أهلكه}, also {Attacked him from where he does not know}, as it is said: (He killed him while he was inattention, that is: on his oblivion, and the {"Ghillāh" / الغيلة - the trick}, and {"Al Khadeea'ah"/ الخديعة - the trick}, and {"Al Ghāwa'el"/ الغوائل} are: The Shifty, while the { "Al Ghā’ellah"/ الغائلة} is: Deep Grudge, and { "Al Ghul"/ الغول}: is The Lethal, just as anything that assassinates and ruins is a lethal "Ghul" (Ibn Manzur, 1990).

Being an emerging cybercrime, therefore, to determine the legal meaning of the assassination of the personality, it is necessary to clarify the position of the Cybercrime Act and the Administrative Legislation, some of whose texts include the term “Assassination of the Personality,” represented by the Integrity and Anti-Corruption Commission Act and the Civil Service System.

2.2 POSITION OF ADMINISTRATIVE LEGISLATION

The Cybercrime Law, in its new form, is unique in criminalizing the assassination of the personality. However, this offense was dealt with some Jordanian legislation laws and by-laws, which was only from the administrative aspect without addressing it from the penal aspect, as the Jordanian Integrity and Anti-Corruption Act and the Jordanian Civil Service System referred to the offense of personality assassination as a legal term.

2.3 INTEGRITY AND ANTI-CORRUPTION ACT

Integrity and Anti-Corruption Act No. (13) of (2016) mentioned “The Personality Assassination” as one of the state’s aims to ensure adherence to the principles of national integrity and anti-corruption, as Article(4/K) of this Act
stipulated: “The Integrity and Anti-Corruption Commission aims to: combat the personality assassination.”

The Integrity and Anti-Corruption Act did not define the meaning of the offense of the assassination of personality, but rather, its criminalization has not been dealt with, nor has it been addressed more than an administrative objective for those in charge of the Integrity Commission. Despite the fact that the Commission undertakes (as its primary duty and mission) to investigate financial and administrative corruption in all its forms in ministries and institutions, and to uncover irregularities and abuses, collecting evidence and information related to them, initiating investigations and proceeding with the necessary administrative and legal procedures (Article. 4/I: Anti-Corruption Commission Act).

The Integrity and Anti-Corruption Commission Act adopted the task of combating the assassinations of personality. This approach contradicts or diminishes the commission’s objective in receiving complaints and observations by electronic means to hold officials and decision-makers in the public administration accountable if it turns out that the complaints and observations attributed or referred to them violate the provisions of the Act (Article 4/f: Anti-Corruption Commission Act).

This contradiction may justify protecting the moral personality of workers in the public sector, in particular senior officials and representatives of ministries, bodies and institutions whose personalities are known at the community level, against incorrect, indiscriminate or illegal electronic complaints and observations, under the pretext of combating corruption and corruptors.

Previous data resulting from the Jordanian legislator’s inclusion of the term “Personality Assassination” in the Integrity and Anti-Corruption Commission Act indicate that the meaning and notion of personality assassination is limited to assaulting the moral personality of public persons solely in their functional capacity, in order to protect them from the propagation of acts related to their professional career or private acts that may taint their reputation acquired by virtue of their occupation and which would assassinate and eliminate their personalities.

2.4 JORDANIAN CIVIL SERVICE SYSTEM

The civil service system deals with the regulation of public servants' affairs, as the public service is responsible for serving citizens, and it is governed and guided by
human values, which are keen to establish ethical standards, rules and principles that govern public service ethics, cultivate a professional culture among civil service servants, and creating confidence and appreciation among service recipients towards public institutions for their role in the provision of public services in the best possible way (Civil Service System, Chapter Ten).

In order to ensure the above, Article (68/g) of the Civil Service Regulations stipulates the public official's obligation to: “Be honest, courageous, and transparent in expressing an opinion, disclosing and reporting imbalances while ensuring the accuracy of the information and avoiding the assassination of personality ".

In conclusion, according to Article (68/g) of the Civil Service System, the meaning of assassinating of personality is limited to the administrative framework only, represented by the expression by a public servant of an opinion, report or disclose an imbalance or problem relating to an administrative act which has occurred or which has been caused by another public servant, in the light of incorrect or unconfirmed information.

A public servant is therefore considered to be an assassin of another servant’s personality, as soon as he rumors, attributes or alleges that an administrative defect has occurred or was caused by the latter servant on the basis of incorrect or non-confirmed information, which may result in the latter servant's reputation being discredited and contaminated within the working environment, with this consequence potentially extending beyond working environment.

2.5 THE NETWORK

The information network is a global communications network that allows communication with smaller networks. The Cybercrime Act defines it as a link between more than one information system or any information technology means to make available and obtain the data and information (Article 2). Hence, the penal legislator considers the act of personality assassination via the information network an element of its criminalization.

That is, if the perpetrator unjustly propagates, attributes or refers to a person a heinous or repugnant act via the information network, and this act could affect the reputation and personality of the latter to the extent that it contaminates and smashes
him, such as the act of embezzlement, theft, or any other crime that was not committed or contributed to by the person targeted for the assassination of personality.

Accordingly, if the act of embezzlement or theft (for example) is rumored in a family encounter or social gathering, and it is unjustly attributed to a person in a way that affects his entity and personality, then this conduct is not criminalized by assassination, because it was not committed over the information network, and therefore does not violate the provisions of the Cybercrime Act, with the possibility of holding it accountable for other offenses such as defamation, slander, and contempt.

Information technology is any technology tasked with storing and verifying any data within an organization, in addition to everything that goes back to computers and internal networks.

The Cybercrime Act defines it as all forms of management of information systems, which depend on computers, cellular phones, software, program commands, or any other electronic devices, to transfer, store, protect, process, send, retrieve, manage, or exchange information or data, and any other means that achieve the same purpose (Article 2).

Article (16) of the Cybercrime Act considers “information technology” a means of personality assassination and an essential element in its criminalization, such as the access of a person specialized in modern technology or the assistance of any of these persons to the server of university or an institution, whether with or without a permit or beyond the Permitted limit, and then unlawfully inserting electronic materials or data into the server containing news or rumors about a famous merchant cheating on the quality of foodstuffs, and while operating devices or computers connected to that university server or institution. Information about the rumor will appear after it is processed.

Accordingly, if the rumor or fabricated news or information spreads among the staff of the university or institution whose computers are linked to the server that was accessed, this matter will inevitably lead to the merchant’s reputation being discredited and negative news being spread about him, and thus assassinating his personality in violation of the provisions of Article (16) of the Cybercrime Act. The method of assassinating the merchant’s personality here was electronic and was done via a server, which is considered one of the most prominent information technologies.
The information system is a set of elements and resources that interact with each other in order to achieve objectives (Khalid, 2017). The Cybercrime Act defines it as a set of programs, applications, social media platforms, devices or tools designed to create, send, receive, process, store, manage, or post data or information electronically, or display this data or information by electronic means (Article 2).

The information system, with its programs, applications, hardware, and technical tools, is considered one of the electronic means used to commit the crime of personality assassination. It is not possible to limit these programs, applications, and technical devices, or even determine their categories, due to their large numbers, types, and continuous development.

Since the use of information systems is an element of the criminalization of personality assassination, this offense may be committed through an educational program such as (Microsoft Teams), which allows video conferences, meetings, and remote communications, such as if a user of the (Microsoft Teams) program in a virtual meeting or remote conference attributes an indecent act (unduly) to a person whose personality is known to the virtual attendees for the purpose of assassinating him.

The websites are a collection of web-accessible files. The Cybercrime Act defines it as the space where information on the Internet is available through a specific address. (Cybercrime Act: Article 2). Among the most famous websites, for example, are Google, Tmall, Amazon, Wikipedia, Netflix, and YouTube. It is impossible to limit these sites, especially since local and international sites are constantly increasing, also since every address with access to information on the information network is regarded, in the legal sense, as a website.

The widespread dissemination of websites on the local and global levels has made them a fertile place for committing the offense of personality assassination, as the website is considered a main address that contains information for viewing, so it is one of the most appropriate and easily accessible electronic means for committing the offense of personality assassination, as the material elements of this offense are based on promoting, attributing, or referring the act to a person unlawfully in accordance with the provisions of Article (16) of the Cybercrime Act.

If the news and information announced on websites (especially media websites) deal with acts whose rumor, attribution, or spread to a person would lead to the assassination of his personality, then the offense of personality assassination occurs
because it was committed via electronic means, with reference to the possibility that criminal liability for the offense of the assassination of the person may extend beyond the perpetrator’s limits to the site's administrators and those responsible for approving the broadcast and publication of such news without justification, if their criminal contribution is proven, whether original or consequential.

Social media platforms are applications and social websites that allow everyone to communicate, either via smart phones or via computers (Attehw, 2023). The Cybercrime Act defines it as every electronic space that allows users to create an account, page, group, channel or the like through which the user publishes, sends or receives images, videos, comments, writing, numbers, symbols or audio recordings (Article 2). Among the most famous of these platforms, for example: Facebook, Instagram, LinkedIn, Snapchat, TikTok and WhatsApp. It is worth noting that social media platforms are impossible to limit as a result of their continuous development and innovation.

Social media platforms are powerful tools used by digital media and effective weapons with which members of society enlist in spreading news and expressing opinions in the fields of economic, social, tourism, cultural, educational, and other life aspects because social media occupy the throne of electronic means in terms of use and spread. The more electronic media is used, the more widespread it becomes and vice-versa. The study emphasizes social networks’ growing importance in modern governance, with netocracy emerging as a powerful and influential force in the digital era. It also emphasizes the need for new social structures and conceptions to comprehend the complexities of today's information society. In this setting, social networks have become vital instruments for government-citizen communication, providing numerous chances for connection and engagement (Oleksandra, Lina, Tetiana, Vitalii &Volodymyr, 2023).

The previous Cybercrime Act did not include social media platforms as a means of committing cybercrime, because “websites” include “social media platforms,” and the latter is considered part of the former. Nevertheless, the Cybercrime Act of (2023) foresees the seriousness of the exploitation of social media platforms in the commission of a personality assassination, as it explicitly states that it is a means of committing cybercrime and an element in shaping its legal structure.
In light of the foregoing, the information network, information technology, information system, website, and social media platforms are considered electronic means are among the electronic means used to commit the offense of personal assassination. Although the criminal legislature did not consider the criminalization methods among the general principles, the crime is an offense regardless of the means of committing it. However, the Jordanian penal legislator made an exception to this rule for reasons and objectives that require extensive clarification, including the ease of committing cybercrime, the difficulty of proving it, and the gravity of its impact (Barjes, 2020).

On the other hand, traditional penal provisions did not criminalize the assassination of the personality. It is as if assassination can only be carried out through electronic means, and this is not true in practice. The assassination intended in Article (16) of Cybercrime Act may be realistic and not hypothetical, such as if a person unjustly propagates disgraceful acts about another person through speech or circulates fabricated news among a large audience that would tarnish the reputation of the latter and eliminates his moral entity among these people.

2.6 EXPANDING THE CRIMINALIZATION OF PERSONALITY ASSASSINATION AS A DANGEROUS CRIME

At the outset, it is necessary to distinguish between two types of crimes: The first includes physical offenses (Tort Offenses), which are not punished by the legislator unless the criminal result is achieved. This result is considered an essential element in the legal formation of the material element of the offense (Raed, 2019). So, if the result does not exist, that is, the material element is not present, then the offense becomes impossible.

The second type of offense is called formal Offenses (Crimes of Danger), which are offenses whose legal form is completed once the criminal conduct is achieved without requiring a criminal result to occur. The interest protected by law is jeopardized once criminal conduct occurs (Jamil, 2011).

The offense of the assassination of personality in its latest version, according to the provisions of the Cybercrime Act is considered a crime of danger as a formal offense that does not require results, where Article (16) of the Cybercrime Act of (2023) stipulates: "Whoever unjustly spreads, ascribes, or attributes to a person, ...... acts that
The Penal Legislator criminalizes whoever (spreads, ascribes, or attributes) via electronic means any act of an individual who assassinates his personality. The legislator did not require achieving the same result, which is assassination, as evidenced by the wording of Article (16) of the Cybercrime Act, which states that “that would assassinate his personality”.

Thus, the offense of personal assassination does not require that its perpetrator be able to destroy the person’s moral entity by smashing and eliminating the person’s reputation. Such results are not required, and it is sufficient to propagate or attribute these outrageous acts only to the person. Whereas the offense of the assassination of personality is an offense of early danger in which the legislator equals the act to its attempt (Abdul-Ilah & Mamdouh, 2019).

The legislature did well in its penal policy based on expanding the scope of criminalization by considering personality assassination offenses to be crimes of danger. The danger in this offense is not common or easy, but it is a major risk of potential aggression against the personality that may lead to its assassination (Muhammad, 2021), which requires the establishment of preventive penal protection by criminalizing the mere attempt to undermine people’s reputation and moral entity by propagating acts or attributing them to an individual’s personality.

2.7 AGGRAVATION OF THE PENALTY FOR THE OFFENSE OF ASSASSINATION OF PERSONALITY BY RAISING THE FINE CAP

No person shall bear the criminal liability unless the crime is accompanied by a penalty, and by referring to the provisions of Article (16) of the Cybercrime Act, the offender shall be punished with imprisonment for a period of not less than three months or a fine of not less than (5,000) Jordanian dinars, not more than (20,000) Jordanian dinars, or both.

It is observed that the penalty for the offense of the assassination of personality includes two types of penalty; The first type is the penalty of deprivation of liberty, which is not less than three months in prison and increases to a maximum of three years according to the general rules as a misdemeanor penalty (Article 20), while the second
type of penalty is a financial penalty, consisting of a fine not less than (5,000) dinars and not more than (20,000) dinars, with the possibility of applying these two types of punishment.

3 METHODOLOGY

To achieve the purpose of studying the criminalization of the assassination of the personality via electronic means, the researcher followed the descriptive and analytical approach in presenting the criminal legal provision for the assassination of the personality, describing its content, analyzing its texts to determine the scope and limits of criminality under the new Jordanian Cybercrime Act.

4 RESULTS AND DISCUSSION

The conclusion of the study included a set of results and discussion, as follows: firstly, Jordan's Cybercrime Act, No. (17) Of (2023) is singled out among penal legislation worldwide in criminalizing the assassination of the personality but only through electronic means, in order to prevent the publication of fabricated acts, or spreading false, exaggerated, partial or incomplete facts intended to discredit persons and smash their dignity. Jordan's Cybercrime Act, No. (17) Of (2023) is singled out among penal legislation worldwide in criminalizing the assassination of the personality via electronic means, through publishing fabricated acts, or spreading false, exaggerated, partial or incomplete facts intended to discredit persons and smash their dignity.

Article (16) of the Cybercrimes Act stipulates: "Whoever unjustly spreads, ascribes, or attributes to a person, or contributes to it through an information network, information technology, information system, website, or social media platforms, acts that would assassinate his personality shall be punished by..."

It is clear from the aforementioned text that personality assassination is based on the illicit dissemination, propagation or attribution of acts by electronic means to persons, with the aim of morally harming them, destroying their entity, smashing and eliminating their personalities. But what is the nature of the rumored or attributed actions that would assassinate the personality of the individual about whom the rumor or attribution spread? Is it required that such rumors or attributed acts be truly false?
Are all individuals fit to be victims of such offense, or does the offense of personality assassination require a particular character’s fame, importance, or specificity?

The Cybercrimes Act incorporated the offense of personality assassination without specifying the nature of the acts of spreading rumors, although the place of its commission was limited by electronic means, which created confusion and ambiguity about the legal structure of the offense, while the acts that are rumored, attributed, or referred to the individuals targeted for assassination are difficult to determine by jurisprudence and the judiciary. The legislator may have intended this approach to prevent the provision inadequacy and its inability to criminalize the offense of personality assassination in all its forms. However, this approach poses a practical dilemma for the criminal justice system in applying the law to reality as a result of the unclear elements and limits of criminalization.

Applying the general legal rule “The indefinite applies to the absolute,” the text of Article (16) of the Cybercrimes Law criminalizes all electronic practices that lead to personality assassination, whether or not the rumor acts are true, and this is a clearly appeared in the legislator’s phrase “Acts” without determining the validity extend of the acts, as it falls within the framework of the illegality of spreading rumors or attributing the act to individuals, regardless of the nature and details of these acts, whether they are related to their profession, professional or private life.

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On the basis of the preceding rule, the significance or privacy of the person being assassinated is not required, as evidenced by the legislator’s statement by a person without limitation, specification or restriction, while the practical application of the provision of Article (16) of the Cybercrime Act may require the fame for the person being assassinated; This is when assassination requires the creation of a mental image that is completely different from what the person in question is known for, for example, that a state official is known for honesty and cleanliness and is rumored to be involved
in financial crimes by attributing embezzlement to him through social media platforms or other electronic means (Ibrahim, 2015).

Secondly, the legislator considered the use of electronic means to assassinate a character as a basis for criminalization, as character assassination as purely physical acts is permissible unless committed by technical means, as evidenced by its criminalization in the Electronic Crimes Law and not the Penal Code. The Jordanian Penal Code did not address the offense of personality assassination, nor did it envisage its existence at all, as did the national penal laws of all states. Jordan's new Cybercrime Code was single in criminalizing the assassination of the personality, and since the Cybercrime Act only combats information or technical offenses, the use of electronic means is the basis for criminalizing the assassination of the personality.

Electronic or informational offenses are any act committed through the use of a computer, information network, or other information technology that is contrary to the provisions of the Act (Lawrence, 2017). The Cybercrime Unit has limited the scope of cybercrime to acts criminalized by law, which violate material or moral conditions, and are a direct or indirect result of interference through information technology or the use of technological means (Cybercrime Unit, 2023).

Thus, if one's personality is assassinated by the availability of all the elements and components of the act, the act shall not be criminalized unless it is committed by electronic means, as the Cybercrime Act restricts the commission of the offense of the assassination of the personality by electronic means, which are: the information network, information technology, information system, websites and social media platforms.

Thirdly, One of the most prominent features of the Cybercrime Law’s response to character assassination is that it considers the person who contributes to the crime of character assassination as its perpetrator, and includes character assassination among dangerous crimes. Since criminalization and punishment are among the most prominent tools of criminal confrontation, the legislator criminalized the assassination of the personality and punished it. In order for the Cybercrime Act to be effective and fruitful in preventing or limiting the commission of the offense of personality assassination, the contributor to the offense of personality assassination is considered an offender, and personality assassination is a crime of danger. At the same time, the Penal Code lifted the financial cap on the fine as a penalty for the offense of personality assassination.
assassination. The penal legislator who contributes to the offense of the assassination of the person is deemed to be an offender in terms of criminalization and punishment, as evidenced by Article (16) of the Cybercrime Act, which stipulates: “Whoever unjustly spreads, ascribes, or attributes to a person, or contributes to it through an information network......”.

The penal legislator derogated from the general rules governing the punishment of perpetrators of the offense, as stipulated in the general rules of the Penal Code, as he allocated an appropriate penalty to each type of criminal contribution. Whether the contribution is original or consequential; whether the subsidiary contribution is material (interference) or moral (incitement) (Nizam, 2022).

Article (16) of the Cybercrime Act equalizes the amount of liability and penalties for all types of criminal contribution if the offense involved is a personality assassination. This reveals the strictness of the Cybercrime Act in confronting assassination acts, whatever the magnitude of the conduct and activity that constitutes this offense.

The intended contribution to the assassination of the personality is based on the activity or part thereof related to the propagation, attribution or referring acts to anyone without a right aimed at the assassination of his personality. Provided that the offense in question shall be carried out by electronic means, whether original or consequential.

Notwithstanding the foregoing, the researcher believes that there is no justification for the legislator to address partial contribution in the offense of personality assassination in Article (16) of the Cybercrimes Act, because Article (27) of the Cybercrimes Act of (2023), which is reproduced from Article (14) of the Cybercrimes Act of (2015), which deals with the penal rules for criminal contribution that apply to all cybercrimes, which stated: "Anyone who intentionally participates in, interferes with or incites the commission of any of the offenses provided for in this Act shall be punished by the penalty prescribed therein for the perpetrators."

Fourthly, the expansion of the criminalization of character assassination has created a conflict between protecting the moral entity of people by preventing the spread of their actions or unjustly ascribing or attributing actions to them, on the one hand, and on the other hand, limiting people’s freedoms of expression and opinion, at the risk of falling into the trap of the crime of character assassination, especially since This crime includes many practices related to the dissemination and transmission of
news if it is carried out via electronic means. On the other hand, the further criminalization of the assassination of the personality through acts that have not yet been achieved compromises the rights of individuals and freedoms of expression and opinion through electronic means, and hinders the function of the press and media. In particular, the extensive and rapid digital transformation of journalism, media and publishing, runs counter to the constitutional principles that guarantee freedom of opinion and the right to expression, as every person has the right to express his opinion freely through speech, writing, photography and other available means, provided that it does not exceed the limits of the law. The state also guarantees freedom of the press, printing, publishing and the media within the limits of the law (Article 15).

In fact, the expansion of the criminalization of the assassination of the personality is a double-edged sword. It may be a safety valve in protecting people's moral entity and ensuring their privacy by preventing their acts from being published or being attributed to them unjustly; Meanwhile, the expansion of the criminalization of the assassination of the personality may be a ticking time bomb that explodes in people’s faces the moment they perform their rights and freedoms of expression and opinion, under the guise of exceeding the limits of the law, as a restriction on the rights and freedoms of individual opinion and expression set forth by the Constitutional legislator. Exceeding the limits of the law in this regard is intended to contravene Article (16) of the Cybercrime Act, which criminalizes the assassination of personality, in particular the legislative wording of this Article is vague and broad and may accommodate many practices relating to publishing News and its transmission if it is done via electronic means. Acoording to (Vilor, bErmeck, cMaya, dRenat & eAidos, 2023) raising public awareness and transparency in public authorities' activities;•reporting of the state under the UPR on the work done, in accordance with the actual quantitative and qualitative indicators;•creation of systems for monitoring and evaluating state actions at the national, regional, and international levels;•close cooperation between the government and human rights organizations;•ensuring the independence of judges from the authorities

Fifthly, he legislator’s punitive plan was characterized by strictness in the financial punishment prescribed for the crime of character assassination, bringing the ceiling of the fine against the convict to twenty thousand dinars. The researcher notes that the penalty ceiling has been increased by a fine that the Jordanian legislator left the
Criminal Court with broad authority to assess the financial penalty for the offense of assassinating of personality, with a financial roof of up to (20,000) dinars, which is equivalent to approximately (28,185) US dollars. This penalty, according to the living reality and economic situation in the Jordanian state, is very harsh and has a severe impact on anyone who attempts to assassinate a person's personality.

The penalty prescribed for the offense of personality assassination is not intentional in itself, and its aim is not revenge or retaliation against people, or to enhance the financial resources of the state, as the fines received from the convicts return to the public treasury. The legislator seeks from the enact of financial penalty the creation of a criminal policy that faces prejudice to the entity of individuals and to deter anyone who unjustly dares to attack anyone's personality in order to protect the perception of persons and preserve their reputation.

The legislator did well in his punitive plan to include a fine with a financial ceiling that may reach (20,000) dinars, as these penalties have become the approach of modern penal policy in deterring their perpetrators (Muhammad, 2013). At the same time, the Jordanian legislator is required to leave a large difference between the minimum and maximum limits in determining the financial fine, in light of releasing the discretion of the criminal judge.

5 RECOMMENDATIONS

- There is no justification for providing for the contribution to the offense of assassination of the personality, as Article (27) of the Cybercrimes Act of (2023) addresses the rules of criminal participation applied to all cybercrimes, as it considers the contributor to the offense to be considered the perpetrator of cybercrimes. This requires amending Article (16) of the Cybercrime Act by deleting the contribution part.
- Redrafting Article (16) of the Cybercrimes Act to control the physical limits of the crime of assassination of personality without unleashing it; to prevent legislative extravagance in criminalizing assassination of personality at the expense of constitutional rights and freedom of expression.
- The Jordanian legislator must reduce the distance between the minimum and maximum fines for the offense of assassination of personality, as there is a
large difference between the minimum and maximum limits in determining the financial fine, in light of releasing the discretion of the criminal judge.

- The Jordanian legislature must criminalize the assassination of the personality in the Penal Code, as the traditional penal provisions do not criminalize the assassination of the personality at all, as if the assassination were not carried out only by electronic means. In fact, this is not true, as the assassination intended in Article (16) of the Cybercrime Act can be committed realistically just as it can be committed hypothetically.

6 CONCLUSION
The study on the criminalization of the assassination of the personality in accordance with the provisions of the Jordanian Cybercrime Act No. (17) Of (2023) aims to define the meaning of the assassination of the personality as an emerging offense, whose elements and components are ambiguous, as well as to clarify the limits of this criminalization, which the legislator has restricted using electronic means
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