



Article

The Extent of Public Employee Commitment to Performing Their Duties in Accordance with Constitutional Texts and Legal Legislation

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Abstract

The study summary includes an examination of the role of constitutional guarantees in the public employee's commitment to performing their duties. This study examines the concept of the public employee, their rights and duties, the public employee's commitment to judicial decisions, represented by the Administrative Court, oversight of administrative actions, represented by parliamentary and judicial oversight, and the separation of powers. It also examines the legal consequences of a public employee's violation of legal powers, represented by nullities and their effects. The study concluded that a public employee's transgression of the limits of their job and the violation of procedures, which leads to the nullity of the procedure after it is challenged by a stakeholder, requires emphasizing the public employee's commitment through legal awareness lectures and a work manual for each institution. It also examines the legal consequences of violating legal procedures, such as nullity and penalties imposed on violators.

Keywords: public employees, Constitutional Guarantees, Judicial Oversight, Legal Consequences

Suggested citation:

Al-Btoosh, A., Kareem, A., Ahmed, M., & Alkharman, J. (2025). The Extent of Public Employee Commitment to Performing Their Duties in Accordance with Constitutional Texts and Legal Legislation. *International Journal on Culture, History, and Religion*, 7, 57-75. <https://doi.org/10.63931/ijchr.v7iSI.286>



Introduction

Oversight protects individuals from infringing on their rights and freedoms, as explicitly stipulated in the Jordanian Constitution. Oversight of administrative actions prevents successive governments from abusing the rights of individuals. Individuals have the right to enjoy a stable life and stability throughout their lives and dealings.

Governments enjoy privileges in their application of the law, and their application of the law must be subject to oversight that prevents them from infringing on the rights of individuals. This commitment is fulfilled by their application of the law and their non-violation of its provisions. Governments must be subject to the principle of legitimacy, which has become a criterion for all successive governments and the foundation for establishing a legal state. The principle of legitimacy is based on the submission of the ruler and the ruled to the law (Hafez, 1976, p. 4). The most widespread type of administrative corruption is when an employee engages in a specific behavior to achieve personal goals or interests. This type of corruption involves receiving a sum of money in exchange for a service they have provided to someone. Examples include failure to comply with financial laws and regulations; negligence in work, which results in the loss of a public sum of money; and tampering with individuals' financial rights to please specific individuals who request it. Organizational corruption is the set of errors committed by an employee during the performance of their duties. Examples include dishonesty in the implementation of work, lack of cooperation among employees, and failure to adhere to official working hours. The difficult economic conditions experienced by society due to wars and economic blockades lead to increased living costs, thus leading to administrative and financial corruption.

Political employee corruption involves the exploitation of authority or position by some officials for private purposes; that is, the goal is to achieve private gain. It relates to the overall financial deviations and violations of the rules and regulations governing the work of the state's political system (political institutions). Although there is a fundamental difference between societies whose political systems adopt democratic and inclusive methods and countries where governance is totalitarian and dictatorial, the common factors for the spread of corruption in both types of systems are a corrupt system of governance (one that is unrepresentative of the public and not subject to effective accountability). The manifestations of political corruption include corrupt totalitarian rule, lack of democracy, lack of participation, corruption among rulers, the dominance of the state system of government over the economy, and widespread favoritism (Al-Bayati, 2009, p. 48)

The importance of enforcing the constitution is also reflected in the existence of a mechanism to ensure the legality of decisions issued by the executive branch (public administration/government administration), in addition to ensuring the existence of a mechanism to monitor the constitutionality of laws. The legality of decisions issued by the executive authority is ensured by the availability and affordability of recourse to the administrative judiciary, with a claim for annulment, to challenge the legitimacy of a final administrative decision, regardless of the level of the administrative body issuing it. The role of the administrative judge is to monitor the actions and decisions issued by the administrative authority and verify their legality. This oversight becomes increasingly important under exceptional circumstances, such as an emergency. Unchecked, this opens the door for the government to exploit its authority for private purposes, ultimately violating individual rights. To avoid this situation and prevent the administration from abusing its powers, an annulment claim allows those subjects to the authority of the government administration to safeguard their rights, which are derived from the law and protected by the constitution. First Section: The Concept of a Public Employee

A public employee is entrusted with a permanent job in the service of a public facility run by the state. For an individual to acquire the status of a public employee, key conditions must be met: A decision appointing them must be issued by the competent authority. Therefore, anyone who performs work in a public position without being legally appointed is not considered a public employee (Al-Qubailat, p. 197).

Problem with the study and its questions

The problem of the study lies in examining the role of constitutional guarantees in the public employee's commitment to performing their duties. His duties, by clarifying the constitutional texts that guarantee the protection of individual rights and freedoms, and the principle of separation of powers, intending to achieve oversight over the performance of public employees during the performance of their duties through administrative and parliamentary oversight, and the extent of compliance with legal legislation that criminalizes acts that contribute to the spread of corruption in its various forms, and the extent to which the specified penalties are compatible with deterrence and achieving the desired results of oversight.

1. Is it possible to study and understand the public employee's concept, rights, and duties?
2. To what extent are constitutional provisions adhered to during the performance of public employees' duties?

3. What is the role of constitutional guarantees in protecting citizens by balancing the employee's duties and citizens' rights?
4. What are the procedures for public employees exceeding the limits of their powers?

Study Objectives

The study aims to achieve the following:

1. Identify the concept of the public employee, their rights, and duties
2. Identify the public employee's commitment to constitutional provisions during the performance of their duties
3. Identify constitutional guarantees for protecting citizens by balancing employee duties and citizen rights.
4. Identify the procedures for public employees who exceed their authority.

Significance of the Study

The importance of the study stems from the importance of constitutional guarantees in the public employee's commitment to performing their duties. Theoretical importance also stems from the importance of the information provided in the research and the importance of the concepts used in this study. It increases researchers' interest in administrative and financial corruption and its impact on the state's economy.

Applied Importance

Applied importance stems from its contribution to developing plans and programs that specialists in the executive authority must implement. This is achieved by focusing on Jordanian legislation, which outlines the legal provisions that criminalize acts contributing to administrative and financial corruption in Jordan.

Study Limitations

The study focuses on the role of constitutional guarantees in the public employee's commitment to performing their duties under constitutional texts and legal legislation. This is achieved by studying and understanding the concept of the public employee, their rights, and duties, and the extent of adherence to constitutional texts while performing their duties.

The role of constitutional guarantees in protecting citizens is also emphasized by achieving a balance between the duties of the employee and the rights of the citizen, and by identifying the procedures for public employees who exceed the limits of their powers.

Study Methodology

The descriptive approach addressed the study's theoretical framework, drawing on numerous sources and information. The primary sources included relevant Arabic books and references, as well as articles, research, and previous studies that addressed the subject of the study.

Discussion

Guarantees for Public Employees in the Jordanian Constitution

Article (22) of the Jordanian Constitution: *"Every Jordanian has the right to hold public office under the conditions specified by laws and regulations, and to be appointed to public positions, whether permanent or temporary, in the state, its affiliated departments, and municipalities, based on competence and qualifications."*

Jordanian law stipulates this right in general terms and leaves its regulation to laws and regulations, focusing on the essential competence and qualifications an employee must possess. Numerous civil service regulations have been issued to regulate this right, the most recent of which are the Civil Service Regulations (No. 82 of 2013) and the Human Resources Regulations of 2020.

Duties of a Public Employee

Adherence to official working hours, integrity, and professionalism, refraining from abusing authority and maintaining confidentiality, handling documents and information confidentially and not disclosing business secrets to others, working in the best interests of the entity and serving its objectives, maintaining workplace safety, exercising objectivity in their actions, performing assigned work accurately and honestly, and devoting official working hours to the performance of their duties.

The employee must maintain regularity at work, respect official appointments, and conduct themselves in a manner consistent with the dignity of their position. They must observe the provisions of laws, regulations, bylaws, and the directives of superiors, and adhere to the expenditure of emirate funds within the limits required by the trust (Al-Jabour, p. 260). Public Employee Rights)

Providing a work environment characterized by justice, transparency, healthy conditions, fair wages, humane treatment, and the prohibition of arbitrary dismissal. Employees have the right to work specific hours per their contract and within a clear framework of rules and regulations, including their duties and rights and the system of leave, rewards, allowances, and promotions. Article (55-98) of the Civil Service Regulations of 2013 (Jaafar, 1973, p. 27).

The Right of Individuals to Address Public Authorities

This is the right of an individual to submit written complaints, objections, demands, or observations to public authorities regarding a matter related to their status or affecting them as a group member. This right is considered an individual right based on individual interests, and a political right as a form of legislative proposal.

Article (17) of the Constitution: “Jordanians have the right to address public authorities regarding personal matters that concern them or public affairs in the manner prescribed by law.

Public Employees’ Commitment to Judicial Decisions (Administrative Court Decisions)

The 2011 constitutional amendments stipulated in Article 100 the establishment of a two-tiered administrative judiciary, replacing the previously established single-tier Supreme Court of Justice. In implementation of this, and according to the provisions of Article 3 of Administrative Judiciary Law No. 27 of 2014, the Administrative Judiciary was established, consisting of the Administrative Court as a first-tier court and the Supreme Administrative Court.

The Administrative Court has jurisdiction to hear all appeals related to final administrative decisions, under Article 5 of the Administrative Judiciary Law. Its decisions are subject to appeal before the Supreme Administrative Court.

The Supreme Administrative Court has jurisdiction to hear appeals filed against all final judgments issued by the Administrative Court, both substantively and legally.

Public administration personnel are represented before the Administrative Judiciary in all administrative lawsuit procedures and up to the final stage by an Administrative Public Prosecution consisting of a president and his assistants. The Administrative Court, the Supreme Court of Justice (Al-Qubailat, p. 2018), and its jurisdiction as stipulated in the Jordanian Administrative Judiciary Law No. 27 of 2014, article 5.

The Administrative Court, exclusively, shall have jurisdiction to consider all appeals related to final administrative decisions, including:

- Appeals against the results of elections to the boards of chambers of industry and commerce, unions, associations, and clubs registered in the Kingdom, and electoral appeals conducted under applicable laws and

regulations, unless another law provides for such jurisdiction to be granted to another court

- Appeals filed by interested parties against final administrative decisions related to appointments to public positions, promotion, transfer, secondment, loan, assignment, confirmation in service, or classification (Al-Khalayleh, 2017, p. 51).
- Appeals by public employees regarding the annulment of final administrative decisions regarding the termination of their services (Al-Qubailat, 2003) or suspension from work (Qassim, 1973, p. 27)
- Appeals by public employees regarding the annulment of final decisions issued against them by disciplinary authorities
- Appeals concerning salaries, bonuses, rewards, annual increases, and retirement rights due to public employees, their retirees, or their heirs under applicable legislation (Al-Qubailat, 2010, p. 197).
- Appeals filed by any aggrieved party requesting the annulment of any regulation, instruction, or decision based on the violation of the regulation of the law according to which it was issued, the violation of the instructions of the law or the regulation issued under it, or the violation of the decision of the law, regulation, or instruction under which it was issued
- Appeals filed by any aggrieved party regarding the annulment of final administrative decisions, even if they are protected by the law under which they were issued.
- Appeals against any final decisions issued by administrative bodies with judicial jurisdiction, except for decisions issued by conciliation and arbitration bodies in labor disputes
- Appeals deemed within the jurisdiction of the Administrative Court under any other law.

The Administrative Court shall have jurisdiction to consider claims for compensation for damages resulting from the decisions and procedures stipulated in Paragraph (A) of this Article if they are submitted to it under a cancellation claim.

The Administrative Court shall not have jurisdiction to consider claims or appeals related to sovereign acts.

Claims filed by those who do not have a personal interest shall not be accepted.

Objectives of the Administrative Investigation

- Verifying the existence of a specific violation.

- Confirming the violations that have occurred against an employee or group of employees.
- Gathering the evidence necessary to bring charges.
- Proposing the necessary penalty.
- Administrative investigations achieve a form of general and specific deterrence, because the mere fact of being referred to for investigation makes anyone tempted to commit a particular job violation think carefully before committing it.

Cases of termination of public service

Cases of termination of public service fall into several categories, the following of which we will review: termination for reasons of conviction, termination of service or exemption from it, discharge from service, loss of Jordanian citizenship, referral to retirement or placement on reserve, death, reaching the legal retirement age, dismissal from employment, redundancy, loss of employment, expiration of contract, acceptance of resignation, medical unfitness, and imprisonment for a term exceeding one year in any other case.

Disciplinary Sanctions

- The disciplinary sanctions stipulated in Article (141) of Paragraph (a) of the Civil Status Law shall be imposed for a disciplinary violation committed by an employee of the first, second, or third categories, subject to the following powers.
- By the decision of the immediate supervisor, if the disciplinary penalty for the violation does not exceed a warning
- Based on the director's decision, the disciplinary penalty for the violation does not exceed a deduction from the basic salary.
- By a decision made by the Secretary-General, if the disciplinary penalty for the violation does not exceed the withholding of the annual increase for three years
- By a decision issued by the minister, if the disciplinary penalty for the violation does not exceed the withholding of the annual increase for five years

The Board of Grievances Law No. 11 of 2008 assigns it to examine complaints about any decisions, procedures, practices, or omissions issued by the public administration or its employees and recommend simplifying administrative procedures. The President of the Board of Grievances also has the right to initiate a

study of any matter related to the work of the public administration and issue recommendations thereon. The Board may follow any of the following mechanisms to carry out its work: (amicable solutions, verification using the means the President of the Board deems appropriate, contacting the party complained against to respond, requesting documents from the complainant and the party complained against under penalty of liability, reviewing documents from public authorities relevant to the matter, and issuing a recommendation regarding the outcome of the investigation into the matter.

Controls on the Work of Public Employees

Performing their duties with honesty, integrity, and professionalism in a manner that achieves the goals of the institution in which they work and serves the public interest is considered one of the most important duties that a public employee must perform, under the Almighty's saying: *"And say, 'Work, and Allah will see your work, and [so will] His Messenger and the believers.'"*

The Jordanian legislator has given public employees' work a source of prestige and immunity, given their mission to achieve an interest that serves all state citizens without exception. Article 76 of the Jordanian Constitution defines this position as: *"Any position whose holder receives a salary from public funds, including municipalities"*.

The Employee's Relationship with the Position They Hold

A public employee receives his salary from public funds, regardless of the institution he works for, to achieve an interest that serves everyone. Hence, this importance of the public position emerged, which the employee concerned must perform himself at the time and place specified by his governmental institution, and must obey the decisions issued by the President, minister, or director according to the hierarchical order he follows in a manner that achieves justice and the public interest, far removed from personal interest. This is what Article 81 of the Jordanian Civil Service Law states in its first paragraph: *"A- The relationship between the competent department and its employee is based on the employee's commitment to providing honest, loyal, and economically efficient services."*

Likewise, paragraph (b) of the same Article 81 states, *"The employee must implement the orders and directives issued to him by his superiors and deal with them politely and courteously."*

Considering the above, the importance of establishing controls for the public employee becomes apparent because of his job and service to the public interest, which must prevail over other interests. This is represented in the legislation that has been

proposed, prohibiting the public employee from working outside of official working hours in a job other than their public job. This is considered a successful step that the legislator sought to implement to regulate the public employees' work. This matter witnessed both acceptance and opposition at the same time. It prohibited public employees from working in other jobs. However, many opinions opposed this matter on the pretext that it prevented them from providing an adequate income to secure a good living. This system was amended for government employees, allowing them to work outside of official working hours, if there is no conflict of interest and the work has no relation or interest, in addition to obtaining government approval for this work by a decision from the minister concerned. Has he acted against those who violated this order? The amendments stipulate that if an employee violates these conditions, disciplinary action will be taken against them, as stipulated in the Public Sector Human Resources Management System, and any sums they have received will be returned to the public treasury. (5)

Based on this, the Jordanian legislator was successful in this proposal, which he presented to protect the public service by preventing public employees from working outside of official working hours. This is done by monitoring this by improving the public employees' income and ensuring a better standard of living for them and their families. This prevents them from working outside official working hours, monitoring the relevant government institution, and imposing the necessary penalties on anyone who violates this order. This allows many unemployed individuals to take on the work that government employees perform in addition to their government jobs. This is an action that falls on both parties: the government and the public employee, after fulfilling the conditions and controls that achieve the goal, which is to achieve the public interest and give the public employee the sufficient right to resort to other jobs to fill the gaps they feel prevent them from living a decent life. The legislator amended his decision regarding public employee work. Outside of official working hours, if it does not conflict with the public service. However, this is not enough, as many employees engage in activities that conflict with their government duties without government oversight. We hope the government will work to increase this oversight to achieve the highest levels of justice and the best interests that serve everyone without exception.

The responsibility of a public employee for violations

The basis of a public employee's liability for compensation is their liability for the harmful act represented by illegal use and the resulting damage, according to the rule of tortious liability based on Article 256 of the Jordanian Civil Code. For this

liability to be established, there must be an error on the part of public security personnel, represented by the illegal use and the extent of this error. This damage must occur and affect others, whether material or moral. For example, material damage occurs in the crime of depriving one's freedom by public security personnel, and it represents the amount of lost earnings and the loss incurred due to being in custody. Moral damage is based on the psychological suffering and pain they experience due to the deprivation of their freedom.

The employee's behavior may lead to civil liability when they implement an unlawful presidential order that harms others and necessitates realizing the damage that warrants compensation (Mazen, 2007, p. 155). We note from the above that the basis of the liability of public security personnel for compensation is their liability for the harmful act. Represented by the illegal use, and the resulting damage according to the rule of tort liability, and we note the text of article (262, 263) of the Jordanian Civil Code, as it exempts public security personnel from liability in the case of legitimate defense, and the implementation of a legitimate order, (Al-Dabbas, 2005, p. 29). By referring to the text of Article (256) of the Jordanian Civil Code, we find that it states that: "Any harm caused to others obligates the perpetrator, even if he is not discerning, to compensate for the damage." However, we note that the text of Articles (262 and 263) of the same law considers that a public security officer is not liable for compensation in two cases: the case of legitimate defense and the case of implementing a lawful order

Tort liability means that its three elements are present: an error committed by a judicial police officer that harms others, with a causal relationship between the error and the harm. If the elements of this liability are present, the injured party is entitled to compensation for the damage incurred because of these wrongful acts that violate the law.

Compensation, in language, means compensation, meaning a substitute or replacement. In Sharia, compensation means redress for the harm suffered by the injured party.

Compensation, in law, means what the responsible party is obligated to pay to the injured party. A person brings a compensation claim to court to demand compensation for the harm he suffered, a legal obligation imposed by law on anyone who has caused a wrongful act (Marcos, 1992, p. 507). The general rule is that compensation for the injured party must cover all the harm he has suffered. When the judge determines the amount of compensation, he is careful to cover all the harm, including the loss and lost earnings of the injured party. Compensation exists and does not exist with the harm. There must be a causal relationship between error and harm.

Compensation is estimated based on the amount of the harm, but not exceeding it, so that the injured party does not unjustifiably enrich themselves at the expense of the party responsible. Compensation for harm must be direct, resulting from the wrongful act of management, and affecting a right and position protected by law. It must be established, confident, and capable of being evaluated in monetary terms. Harm may be material, moral, or ethical. Material harm is any harm that befalls a person in a right or financial interest. On the other hand, moral harm affects the injured party's non-financial interest, such as harm to their feelings, emotions, dignity, or honor. The obligation to compensate is based on liability for the harmful act.

The injured party has the right to compensation as soon as the harm occurs, and it is considered part of their financial liability, even if they die before obtaining a court ruling. This right is transferred to their heirs. The amount of compensation must equal the value of the direct harm (Marqus, 1992, p.41)

The question arises as to who bears the amount of compensation. The matter differs depending on whether the error is financial or personal. The responsibility rests with the administration if the error is service-related, professional, or administrative. If the error is committed by the person authorized to carry out the assigned duties, the person responsible for their actions is held responsible for their unlawful conduct. If the administration and its employees share the error, each is held responsible for the proportion of the error they caused. The error is considered personal if it is separate from the job, or if it was intentional or with gross negligence that would not be committed by an ordinary person and amounts to intentional misconduct.

It should be noted that the injured party may sue the administration, even if the error was personal, to ensure they are entitled to compensation. The administration may also seek recourse against the person who caused the damage to recover the compensation paid to the injured party. Disciplinary punishment is a penalty announced by the administrative authority against a public employee due to their violation during service, or because of it. Some others defined it as: - an individual procedure imposed to ensure the suppression of a violation affecting the employee's job benefits, and it is the penalty for breaching job duties, which is imposed on perpetrators of disciplinary crimes (Mazen, 2007, p. 141).

The Legal Implications of a Public Employee's Violation of Legal

Powers. This study examines the legal implications of a public employee's violation of legal powers, illegal actions taken by executive authority employees inconsistent with legal provisions, and the nullity and invalidity resulting from such actions violating legal provisions.

Invalidity: Invalidity is defined linguistically as corruption

Invalidity is a procedural penalty for the failure of all or some procedures. In other words, it is a fundamental procedure threatening its legal effects. This definition makes it clear that invalidity is a procedural penalty prescribed by law due to the failure of all or some procedural conditions that must be met, explicitly or implicitly. This definition also reveals that invalidity is prescribed as a penalty for fundamental procedural violations. Regarding a non-essential procedure, its violation does not entail invalidity (Fouda, 1993, p. 24). To say otherwise would undermine the legal effects of criminal procedures for minor reasons, enable the accused to escape punishment, and complicate and prolong procedures beyond the legal requirement. Therefore, research into invalidity should be limited to classifying procedures as fundamental or non-essential (Tharwat, 1997, p. 568). The Jordanian legislator did not adopt a specific doctrine of nullity until the Jordanian Code of Criminal Procedure was issued. (16) of 2001, as amended. It merely stipulated a few cases within the framework of legal nullity. However, after the issuance of the aforementioned law, the legislator added a new article, Article (7), which states in its first paragraph that: (The procedure shall be null if the law explicitly stipulates its nullity, or if it is tainted by a fundamental defect that prevents the purpose of the procedure from being achieved). It adopted the doctrine of legal nullity and adopted the intrinsic nullity (Salama, 1998, p. 3460). Nullity may be legal or subjective. The Jordanian legislator explicitly stipulated nullity in the Jordanian Code of Criminal Procedure, as follows

Article (73) of the Jordanian Code of Criminal Procedure states, *"No deletion may be made in the investigation report, nor may any lines be interpolated. If it is necessary to delete or add a word, the public prosecutor, the clerk, and the person being interrogated must sign and authenticate the deletion and addition in the report's margin"*.

Through the text of the article, the legislator requires authentication of the deletion and the deletion in the margin of the report.

Any unauthenticated deletion or addition shall be deemed null and void.

Article (227) of the Jordanian Code of Criminal Procedure also stipulates that *"If the accused, the witnesses, or one of them does not speak Arabic fluently, the presiding judge shall appoint an interpreter who is at least eighteen years of age and shall swear an oath to interpret between them and the court truthfully and honestly."*

If the provisions of this article are not observed, the transaction shall be void.

The court must appoint an interpreter for the accused or witnesses if they are not fluent in Arabic.

Jordanian law stipulates the circumstances of nullity in Articles (227, 228) of the Jordanian Code of Criminal Procedure, whether legal nullity or intrinsic nullity

contrary to the law issued by the judicial officer in criminal proceedings. (The esteemed Jordanian Court of Cassation has adopted the doctrine of legal nullity in its rulings, and other rulings have recognized intrinsic nullity alongside the legal standard.

Effects of Invalidity

Once invalidity is established, its legal effects are removed, rendering it null and void. Therefore, if invalidity is established and the suspect confesses before the police, it may not be relied upon in convicting, nor may it extend to previously valid procedures (Al-Dabbas, 2005, p. 273).

The Jordanian Code of Criminal Procedure stipulates the invalidity of procedures in Article 7.

A procedure shall be invalid if the law explicitly stipulates its invalidity or if it is tainted by a fundamental defect that prevents the purpose of the procedure from being achieved.

Suppose invalidity is due to failure to comply with the provisions of the law relating to the formation of the court, its jurisdiction to adjudicate the case, its subject-matter jurisdiction, or any other matter related to public order. In that case, it may be invoked at any stage, and the court shall rule accordingly, even without a request.

Invalidity is removed if the party for whose benefit it was enacted waives it, explicitly or implicitly, except for cases where the invalidity relates to public order.

The invalidity of a procedure does not entail the invalidity of the preceding procedures. However, subsequent procedures are only invalid if based on the invalid procedure. (Al-Dabbas, 2005, p. 275).

The failure of Public Security personnel to adhere to legal and objective legitimacy results in the invalidity of the procedure and the denial of any legal value (Hosni, 1975, p. 227).

Conclusion

After studying the role of constitutional guarantees in the public employee's commitment to performing his duties under constitutional texts and legal legislation, in exceeding the procedure, violating the procedure, or not adhering to legal texts, there must be guarantees that ensure the authorities respect the powers (Al-Aras, 2020) assigned to them under the provisions of the constitution and not exceeding them. This is through the constitutionality of laws on acts that violate the constitution to invalidate them. This is technically called constitutional oversight of laws, which is a result of the principle of the supremacy of the constitution, given that it is at the top of

the hierarchy of legal rules. The principle of the supremacy of the constitution essentially means that the laws issued in a country should not contain in their substantive provisions what contradicts the substantive provisions of the constitution, or what affects them in a way that amends their provisions. The same is the case for formal provisions. Educational institutions must develop knowledge in identifying the constitutionality of laws in the Jordanian political system (Al-Momani, 2020) and keeping pace with developments related to intelligence applications, Artificial Intelligence (Al-Shafi'i, 2022), where the following results and recommendations were reached.

Results

The statement of a public employee's transgression of the limits of his job, and the violation of procedures that lead to the invalidation of the procedure after the interested party appeals to it.

The application of the principle of separation of powers without the encroachment of one authority over another through the reciprocal relationship between the authorities, while emphasizing the independence of the judiciary as the true guarantor of the administration of justice and the achievement of equality, is essential to achieving the desired goal of freedom of opinion, expression, and thought, under the rights and freedoms of citizens stipulated in the constitution.

The commitment to respecting constitutional texts and repealing any law that contradicts a constitutional text is achieved through oversight of the constitutionality of laws by the Constitutional Court and achieving parliamentary and judicial oversight of administrative actions to constitute a deterrent against encroachment on public freedoms.

The administrative judiciary, alongside the Constitutional Court, has become a tool that guarantees individual freedoms and rights in the face of authoritarianism and its disregard for the dignity and rights of the governed. This, however, is not the primary mission for which this tool, considered by some to be one of the most important tools in the world for protecting rights and freedoms, was created. In Syria, this tool is represented by the Council of State, which, as a competent and independent body, is supposed to oversee the actions of the executive authority, just as the Constitutional Court oversees the legislative authority.

Recommendations

Based on what was presented in the study and the most important findings reached, the recommendations can be formulated as follows:

1. Emphasizing public employees' commitment through legal awareness lectures and a work manual for each institution, and clarifying the legal consequences

of violating legal procedures, such as nullity and penalties imposed on violators.

2. Emphasizing the application of the principle of separation of powers, preventing one authority from encroaching upon another through the reciprocal relationship between the powers, while emphasizing the independence of the judiciary as the true guarantor of the administration of justice and the achievement of equality, to achieve the desired goal of freedom of opinion, expression, and thought, under the rights and freedoms of citizens stipulated in the constitution.
3. Emphasizing the commitment to respecting constitutional texts and repealing any law that contradicts a constitutional text, through oversight of the constitutionality of laws by the Constitutional Court.
4. Achieving parliamentary and judicial oversight of administrative actions is a deterrent against encroachment on public freedoms.
5. Protecting rights and freedom involves activating the administrative judiciary alongside the Constitutional Court to protect the freedoms and rights of individuals in the face of authoritarianism and its disregard for the dignity and rights of the governed.

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