

Effective management role under Corona pandemic

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ABSTRACT

The Corona pandemic posed a threat to the security, tranquility and health of individuals in communities in general and Jordanian and Palestinian society in particular, which placed the responsibility of the administrative organs to protect all components of the community. This study sought to demonstrate the effectiveness of this role, by demonstrating its nature, means and control procedures during the spread of the Corona virus. This study reached many results, most notably the success of the administrative authorities in Jordan and Palestine in curbing the spread of Virus Corona, and that The Corona pandemic belongs to the range of exceptional and unusual circumstances that must be dealt with in accordance with exceptional rules, that the administrative control methods established to protect public order vary according to the circumstances surrounding society, and that there are circumstances that require the use of stricter and harsher controls than those used in normal circumstances, and the right of administrative authorities to use means that limit the freedom of individuals and allow their rights to be directly violated, and therefore recommended This study provides for the abhorrence of working with the theory of emergency circumstances.

Keywords: Administrative control, exceptional circumstances, Corona pandemic.

1. Introduction

By the end of 2019, the world had witnessed an event like no other, one that began with the spread of news of the emergence of viruses in China that prompted them to build giant field hospitals and declare a state of health emergency; and most of the world's population at the time did not expect the impact of this virus to extend to them and affect their lives in such a shocking and terrible way.

The problem began to expand as the virus spread little by little as people from China toured various parts of the world, yet states had no interest in the beginning until the cases of illness came to public and private hospitals and the virus spread in these hospitals to become effective hot beds for all those who visited them.

As cases increase dramatically and the health sector begins to lose control in many countries with a strong economy such as Italy and Spain on the one hand, and the lack of treatment to ensure that the epidemic is stopped in real time and difficult to provide in the near future due to the complexity of the composition of the virus and the lack of access to the basis of its existence on the other hand sounded the alarm in all countries of the world and governments are looking for a solution through which to protect all residents of their territory from the

threat of this deadly epidemic, and did not Countries find a way to do that except asylum. To the administrative means that stop the movement of individuals to ensure that the movement and spread of the Corona virus (Covid 19) is stopped.

The administrative institutions of the State have played an active role in standing up to the CORONA pandemic and reducing their spread throughout Jordanian and Palestinian society through their use of the administrative control methods allocated to unusual circumstances, and this study is concerned with demonstrating the effectiveness of the role of the Administration under the Corona pandemic and the effectiveness of the means used by the Administration to reduce the spread of the epidemic.

1.1. The importance of study

The general importance of this study is reflected in its concern with the protection of the components of public order, specifically the main component and basis of this system of individual citizens or expatriates, of the danger surrounding their health and physical integrity, as well as their security and stability in the light of the major disturbances caused by the pandemic and its negative effects on security and public tranquility in the country.

More specifically, the importance of this study is reflected in his statement of the department's role in achieving all protections for individuals in light of the spread of the Corona pandemic in Jordanian and Palestinian society as well as the rest of the world, and its role in achieving the personal and health security of individuals.

2.1. Problematic Study

The problem of this study lies in the difficulty of determining the effectiveness of the role of the administration to reduce the negative effects of the spread of the Corona pandemic in the community with the Jordanian and Palestinian in light of the exceptional means used to achieve administrative control on the one hand, and the multiplicity of means on the other, and raises the problem of this study many questions, the most important of which is:

1. What does administrative control reflect?
2. What are the main means of achieving administrative control?
3. How different are the means used under normal circumstances from those of exceptional circumstances?
4. What nature has the impact of the CORONA pandemic on public order?
5. What means have the Jordanian and Palestinian government taken to limit the spread of the Corona virus?

3.1. Study objectives

This study seeks to achieve a key objective, replaced by demonstrating the effectiveness of the role of management in the context of the CORONA pandemic and in order to reach this overall goal, the following sub-objectives must be achieved:

- 1- To state the concept of administrative control.
- 2- To indicate the main means used to achieve administrative control.
- 3- To indicate the differences between the administrative control methods used in normal and exceptional circumstances.

4- To indicate the nature of the impact that The Corona Virus has had on public order in Jordan and Palestine

Identify the means used by the Jordanian and Palestinian government to limit the spread of the Corona virus.

4.1. Study methodology

This study will rely mainly on the descriptive analytical approach, through which we will describe and analyze the concept of administrative control, as well as analyze the nature of the Corona virus to reach its legal adaptation, and analyze the methods used to reduce the spread of viruses, to reach the general description of the effectiveness of the role of management in reducing the spread of the Corona virus.

2. The role of the Department in maintaining public order

Internal stability is the basis of the continuity of societies and the basis for building all systems, including the political, economic and social system, and the process of achieving internal stability rests with the state organs, specifically those that have an administrative character, and these bodies rely on a means that has proven its quality and effectiveness from the exact best administrative age, and the partial study deliberately informs all the details of this means in a way that shows what they are, and their varying types of varying circumstances of the State as an administrative capacity.

.12 The concept of administrative control.

The concept of administrative control is a broad concept in management science, and as an administrative system administrative control involves many characteristics that distinguish it from the rest of the management work, and this part of the study is specialized in explaining the concept of administrative control and this requires a knowledge of administrative control, and the characteristics that characterize it.

1.1.2. Definition of Administrative Control

1.1.1.2. Doctrinal Definition of Administrative Control

The first jurisprudence is administrative control, which dealt with all its theoretical and applied details, including its definition;

This definition gives administrative control the status of mobility and administrative work, and in terms of means of mobility, in all of which is the definition of rules issued by the competent administrative authorities or the measures and restrictions that are directed at certain individuals in their capacities or selves, but the purpose of administrative control is to protect the public order in all its components and branches, which are divided as a general asset to public security and public tranquility as well as public health.

This definition is taken as restricting public order with specific components as is clear, while the modern concept of public order is broader in scope, as it also includes the general environment and the general aesthetic, as will be explained in detail in the later stages of this study, and is used for vague and difficult-to-understand terms, as well as the term "definition" for security.

Another doctrinal trend was defined as: the right of the administration to impose restrictions on individuals limiting their freedom, with the intention of protecting public order (Tamawi, 1995, p., 395).

The researcher sees the comprehensiveness of this definition of the function of administrative control and its precise expression of its purpose by defining it by protecting public order, yet it is taken to this definition that it has indicated to the right of administration in a mere way, we mean that this definition has made administrative control the dress of the right without referring in any way to the restrictions on this right, which gives it the character of forced without restriction, and it is known that administrative control is based on the right of the State to protect its public system, but this right is restricted by not compromising the constitutional rights established by individuals, and adheres to the principles of administrative decision-making as well as the principle of legitimacy, as well as to not abide by the non-infringement of the constitutional rights of individuals. Out of the framework of public order and protection.

Part of the jurisprudence also defined administrative control as: "The establishment of restrictions and controls on the activity and freedoms of individuals to regulate their activities and freedoms, with a view to maintaining public order in society."

This definition expressed the general framework for administrative control, which represents the definition of the general framework of individual freedoms in the face of each other and the public authorities, as well as the objectives of administrative control defined by the protection of public order, yet it is taken on this definition that it did not indicate the institutional framework in place of the administrative control process, which must be defined exclusively by public institutions, and this definition is taken to determine the task of administrative control in the development of restrictions on the activities of individuals, while not limited to Restrictions have been put in place and some of the institutions entrusted with their work have the powers to intervene effectively to maintain public order.

Part of the jurisprudence went on to define administrative control according to a formal criterion: the sum of the organs and bodies that carry out actions and procedures aimed at maintaining public order (Boudiaf, 1999, p. 2).

Another doctrinal trend went to define administrative control according to an objective criterion, defining it as: the total measures and measures carried out by public bodies in order to maintain public order (apparently, 1997, p.67), and the activity of public authorities in order to maintain public order (Mohiou, 1992, p. 339).

We conclude from all of the above that administrative control is an administrative activity or work entrusted with the task of carrying out to public institutions defined by the letter of the law or under regulations and regulations, and gives them absolute authority and authority to take all the decisions, procedures and measures necessary to maintain public order in all its components, and to protect it from any threat to its safety.

2.1.1.2. Legal and judicial definition of administrative control

The Jordanian legislator did not address the issue of the definition of administrative control, leaving this task to the jurisprudence, which, as indicated earlier, has indicated many definitions that have indicated the entities carrying out the task of administrative control on

the one hand, the objectivity of administrative control and its means divided between legislation and decisions precautionary measures, as well as its general goal of maintaining public order.

Although it does not stipulate a specific definition of administrative control, it has been referred to in some internal legislation on maintaining public order, including article 4 of the Public Security Act No. 14 of 2020, which states: "The main duties of the force are as follows: 1. Maintaining order and security and protecting lives, symptoms and funds."

In the same way, the Palestinian legislator, who referred to the concept of administrative control indirectly in the Interim Public Security Act No. (38) of 1965 in force in the Palestinian Bank, specifically article IV, which stated: "The main duties of the force are as follows: 1- Maintaining order and security and protecting lives, symptoms and funds."

The previous texts include all the elements of the definition of administrative control, which are reflected as the general origin of the authority entrusted with the administrative control process within the Kingdom of Jordan, as well as the main objective of administrative control, which is to protect the public order, which makes the protection established in it carry with it all components of the public order without limitation, yet it cannot be adopted as a general framework for administrative control because the function of administrative control does not be confined to the public security apparatus, and its institutional framework expands to include all Administrative institutions responsible for running the country administratively, from the head of state as the first central authority in the administration, to administrative governors and members of municipal councils.

2.1.2. Administrative Adjustment Properties

Administrative control has many characteristics that distinguish it from other types of control assigned to government agencies, the most prominent of which can be summarized as follows:

1.2.1.2. Administrative control has a unilateral jurisdiction

This characteristic is based on the status of administrative control officers, where the administrative control process is entrusted to government agencies, and therefore this task may not be assigned to the private sector in any way (AYD, 2000,p.11), and administrative control is specified in terms of its public persons, which means that administrative control is entrusted to specific entities b Public bodies or persons working in them, under the provisions of the law and regulations, this is called a law following the rules of jurisdiction in the administrative decision, and therefore these powers cannot be exercised by institutions or persons who have not been entrusted with this task by law (Boudiaf, 1999,p.197).

2.2.1.2. Administrative Control Preventive Function

Administrative control in its preventive capacity seeks to prevent the danger and remove this threat before it occurs to the public order in general and individuals in particular, in other words institutions are working to use all means available to them and point in Ganda are to take all necessary measures to reach the threat to public order in the state (Helou, 2000,p.51).

This characteristic is precisely the essence of the difference between administrative and judicial control, as while administrative control seeks to maintain public order from danger before it occurs, i.e. in a preventive manner, judicial control is based on the protection of public order by the mechanism of investigating, detecting and punishing the perpetrators (Boudiaf, 1999,p.197).

3.2.1.2. Administrative control is located with discretionary authority

The administrative authorities are given the power to decide not to take it without restriction, where administrative control is considered to have discretion and open borders, and the holder has discretion in the practice of control procedures, based on the full conviction of the decision makers that there is a risk of its absence from the beginning and therefore their appreciation of the extent to which this danger reaches the community and its members from its non-arrival, and therefore the need for preventive intervention to reach or harm society and maintain public order(Bassiouni, 1993,p. 38.).

2.2. Types and means of administrative control

Although the objective of the administrative control process is to achieve comprehensive protection of public order, including public security, public tranquility and public health, it does not operate on an open scale but adheres to many controls and regulations relating to the rights and freedoms of individuals, yet these restrictions fall in certain cases, as in exceptional circumstances, and on this basis constitutions have differentiated between two types of administrative control rules, the first of which is determined by administrative control rules in normal circumstances, The second is administrative control rules in exceptional circumstances.

1.2.2 Types of administrative control

1.1.2.2. Administrative control under normal circumstances

The state seeks to achieve all the foundations of stability, protect the rights of individuals and even protect its rules of procedure, enabling administrative control in normal circumstances and expressing an activity through which the administrative authorities seek to maintain public order with its three elements defined by public security, public tranquility and public health.

1.1.2.2.1. Protecting public security

Located on the administrative control authorities starting with the function of maintaining public security in the community, the concept of security includes both the security of individuals, i.e., the security of members living throughout the community (Badran, 1992, p. 70), including the concept of flexible security from securing people themselves, their symptoms and their money to preserve and protect it from violation and abuse by others, in addition to achieving state security with its components, organs and infrastructure (Ibrahim, 2012, p. 115).

2.1.1.2.2 Maintaining general tranquility

In addition to achieving public security, administrative control also aims to maintain public tranquility, in its concept of achieving calm and stillness and ensuring the removal of all disturbances and harassment in roads and public places (Bassiouni, 1995, p.85), and therefore administrative control must take all means to maintain public tranquility and tranquility, whether in residential neighborhoods or in public places and remove all sources of imbalance (Lusif, 2015). P. 14.

3.1.1.2.2 Public Health Protection

The task of administrative control in local communities is not limited to the protective role of the components of society, whether by achieving public security or public tranquility (Almutairi, 2011, p. 102), but extends to the scope of protecting them from diseases and maintaining their health, which threatens them from emerging diseases (Al-Masri, 2007, p. 970).)

The mechanism for protecting the administrative control of public health in local communities is determined by taking all means to ensure that the health of individuals is protected under normal circumstances (Abdul Basit, 2000,p. 262).

4.1.1.2.2 Protection of Public Morals

The concept of public morals refers to the system of principles and moral values on which the basic structure of society is based, whose violation leads to the disintegration and dissolution of society, and the general framework of these morals is based on the set of principles that religious judgments must follow by doing what they order, and moving away from what they are forbidden from (Azzouz, 1990, p.36).

The system of public morals is of course different from other societies, the system of morals Arab societies based on the following provisions of Islamic law, including the provisions of the Holy Quran and the Prophet's Sunnah, which are described as conservatism and discipline, differ from the system of morality and general morals that prevail in Western countries known as openness and moral decay(Azzouz, 1990,p.38).

However, it is up to the administrative regulators to protect the moral aspect of society as an integral part of the general concept of modern public order, and to take all necessary measures to prevent it from being disturbed in order to preserve society from decay (Nsega and Dench, 2017, p. 175).

2.1.2.2 Administrative control in exceptional circumstances

The jurisprudence, specifically specialized in administrative law, concerned the issue of exceptional circumstances or what is known as exceptional emergency incidents in all its details, including its definition, partly defined as: a set of factual cases involving two effects, the first of which is the suspension of the authority of ordinary legal rules in the face of public administration, the second of which is the beginning of the submission of management decisions to a special or exceptional legitimacy determined by the administrative judiciary its content and content(Shattanawy,1995, p. 1155).

Another doctrinal trend defined it as: a state of reality that, given its extraordinary specificity, requires impunity for the application of the rules of ordinary law, the unusual or exceptional nature of this situation of reality does not fit the rules applied under normal circumstances (Srouf, 2002, p. 552).

Previous definitions refer to the same concept of exceptional incidents, which reflects the circumstances that occur in communities and threaten their public system in all its components, and the consequences of these incidents to change the administrative approach followed holistically, and change the foundations of administrative control accordingly, and since the normal rules are applicable in normal circumstances, legal rules must be used to ensure the proper functioning of public order in unusual circumstances because the law is the product of society and changes with the change of society, That is, to cross. The general concept of exceptional circumstances, about the emergence of a set of unusually dangerous and unexpected circumstances, poses a threat to the safety of the state as in wars or natural disasters or the spread of the awba and is outside the circle of expectation and ability of individuals (Abdul Wahab, 2009, p.233).

The provision, considering these new circumstances as exceptional circumstances, is required to pose a threat to state security that may seriously harm the State and its public order or one of its components in an actual or confirmed future manner (Alwana, 2011, p.71).

It is also required that these circumstances be considered as exceptional circumstances, the inability to anticipate them in advance, and the inability to pay them with reasonable effort, i.e., the state's inability to confront them by normal administrative control (Al-Awar, 2013, p. 75).

The Jordanian legislator referred to the exceptional circumstances in Article 125 of the Jordanian Constitution, which deals with exceptional emergency circumstances and the recognition of its submission to exceptional provisions, those that read: "In the event of a serious emergency, it is considered that the measures and procedures under the previous article of this Constitution are insufficient to defend the Kingdom, the king, on the decision of the Council of Ministers, may declare the will to own martial law throughout the Kingdom or in any part of it."

For its part, Palestinian legislation emphasized the provisions of exceptional circumstances in article 110 of the Palestinian Basic Law amended for 2003, which stipulated:"1- When there is a threat to national security due to war, invasion, armed disobedience or a natural disaster, a state of emergency may be declared by decree of the President of the Palestinian National Authority for a period of not more than3 days. 2- The state of emergency may be extended for another three days after the approval of the Palestinian Legislative Council by a two-thirds majority of its members."

Compared to the previous texts, the Jordanian legislator was alone in determining the terms of the emergency situation, where the provision of an exceptional circumstance required the existence of two conditions, the first of which is that these emergencies or incidents should be serious to the public order in the Hashemite Kingdom of Jordan, while the second condition is that normal measures are unable to cope with these serious incidents.

The Jordanian legislator also distinguished himself from his Palestinian counterpart for expanding the identification of emergency situations, where he considered epidemics as

exceptional incidents, while exceptional incidents from the perspective of Palestinian legislation were limited to war, invasion, armed disobedience and a natural disaster.

Of course, these exceptional incidents are divided from the point of view of the law into two types, the first of which arises from nature, such as earthquakes, lightning, floods, snow, epidemics and all the same, while the second results from the act of man such as civil disobedience, popular revolutions or armed robberies (Abdul-Aziz, Habib, 2020, p. 5).

2.2.2. Administrative control methods

1.2.2.2. Administrative Control by Regulations

Regulations are defined as one of the means available to management in order to achieve its public objectives, notably administrative control: the set of decisions or regulations issued by the administration as regulatory, with the aim of protecting the system of all its components (Al-Kharshi, 2016, p.68).

In this sense, regulations reflect general rules that essentially control the movements of individuals in a way that guarantees their rights, and ensures that they do not overstep the rights of others under so-called obligations (Almutairi, 2011, p.87).

Administrative control regulations work to achieve the process of organizing any organization of a particular activity or determining the scope of freedoms in a particular area, as in the case of the state's regulation of road traffic in terms of the statement of the speed limit on internal and external roads (Tehrani, 1992, p. 242).

Administrative control regulations also aim to prohibit and prevent certain acts in violation of public order, for example prohibiting acts that harm security, public tranquility and even public health (Khalil, 1982, p.55).

2.2.2.2. Administrative control by individual decisions

They are also called individual administrative control measures, in which the administrative authorities issue a decision concerning a specific person or category or for a few well-known cases and facts (Ibrahim, 2012, p. 119), in which the person or group addressing this decision is obliged to take action or refrain from working for purposes required by the public interest and specifically the security system (Al-Mutiara, 2011, p.82).

In addition to addressing certain individuals in their own or categories, individual decisions about regulations are characterized by their immediate impact, as they are effective in the right of those addressed to them as soon as they are issued and informed by the competent authorities, as an application of the rules contained in the regulations or regulations, and otherwise the effect of regulations on the general individuals must take effect subject to general procedural rules (Al-Kharshi, 2016, p. 72).

3.2.2.2. Preventive Administrative Sanctions

Administrative bodies, in order to maintain public order, are generally subject to some sanctions against individuals or public establishments as a matter of preventive measure, as well as financial sanctions embodied in the form of a fine, or severe freedom such as imprisonment, or prohibiting the exercise of a particular profession such as withdrawal of a

license, which affects anyone who offers the security, knife or health of individuals (Ibrahim, 2012, p.130).

These sanctions are based on a set of legal texts or regulations on the protection of public security, public tranquility or public health, specifically in the event of any violation of such legislation or regulations, to work in their preventive compulsive manner to preserve these fundamentals and prevent their abuse (Musharraf, 1998, p.179).

4.2.2.2. Administrative Control by Forced Execution

The seizure by means of forced execution reflects the right of administrative control authorities to carry out their orders on individuals by force without the need for prior authorization from the judiciary, and pairs them with the issuance of individual orders from administrative control bodies and informing them of the relevant authorities for their optional execution, and the violation of individual orders by individuals (Al-Awar, 2013, p. 60).

It was defined from a doctrinal perspective as operations in which administrative authorities deliberately intervene physically and forcefully to protect public order, and achieve administrative control without obtaining a legal or judicial license (Al-Kharshi, 2016, p. 75).

Previous definitions refer to a single meaning determined by the effective intervention of the administrative authorities to remove any manifestation of public order disorder, which occurs without judicial authorization to do so, which is normal if we consider that forced execution derives its legitimacy and in most cases from the law that allows administrative control authorities to interfere in certain facts and remove the imbalances they cause.

From a legislative point of view, the Jordanian legislator identified the administrative controls authorized for the actual forced intervention of security personnel, the scope of the use of force in such interventions in Article 9 of Jordan's Public Security Act No. (38) of 1965 and its amendments, which stated: "Public security personnel resort to the use of force to the extent necessary to perform their duties provided that their use is the only way to do so first is to arrest: arrest: 1- Each person sentenced to a criminal penalty or misdemeanour or imprisonment for more than three months if he resists or tries to escape. ... Secondly, when guarding prisoners in the conditions and conditions stipulated in the Prisons Act. ... Thirdly, to break up the gathering or demonstration that occurs from at least seven people, if public security is endangered, and in this case the order to use weapons is issued by a president who must be obeyed."

3. Administrative control under the Corona pandemic

Administrative control is divided in terms of its types, as indicated in the previous stages, into two types, the first of which falls under normal circumstances, and is mainly bound by not compromising the rights and freedoms of individuals, while the second falls in exceptional circumstances and expands in terms of means and scope to the extent that it affects the freedom of individuals, and this part of the study works to indicate all the details of administrative control in light of the proliferation of Virus Corona, the nature of which must be determined and the determinants of the means used for administrative control, and the extent to which it affects Community in Jordan and Palestine.

1.3 The legal nature of the Corona pandemic

Determining the nature of the CORONA pandemic requires a statement of two main aspects, the first of which is determined by the concept of the pandemic and compared to the legal concept of emergency conditions, and thus the legal adaptation of the CORONA pandemic.

Section 1: Corinne pandemic adaptation

The term pandemic belongs to Islamic jurisprudence, which he addressed by definition as influences in obligations among individuals, where part of Islamic jurisprudence was defined as: impairments that would infect fruits on tree heads and spoil or perish (Safi, 2007). P. 142.

This definition is clearly about the concept of pandemics from the perspective of diseases and pests affecting fruits or crops, and despite a statement of the scope of the pandemic, it did not indicate the effects of the spread of pandemics, and therefore only a descriptive statement of a pandemic case.

Another aspect of Islamic jurisprudence was to define the pandemic as: heavenly pests with which no one can be included, such as wind, cold, heat, rain, ice and thunderbolt, and also introduced into it, the idea guaranteed human act (Rain,2001, p. 8).

This definition came in a broader scope where the pandemics gave the description of celestial pests, a term that carries with it all exceptional incidents, and stipulated to keep describing exceptional incidents on anything that occurs to depart from the ability to pay individuals, as well as the inability to be guarded against any avoidance, as this definition shows as the rule of the existence of these circumstances and their impact on obligations between individuals and decides that it is not permissible to include them.

Compared to the concept of exceptional and emergency circumstances with the concept of pandemic attributed to Islamic jurisprudence, we believe that both have a single meaning that reflects the softness of a set of unusual and unexpected circumstances, which pose a threat to the integrity of the state, such as in wars, natural disasters or the spread of apoa and are outside the circle of individual expectation and ability.

Both are also required to be unable to pay, i.e. individuals cannot pay for the extraordinary incident with their normal effort, as well as the inability to avoid it with reasonable effort or normal means.

By applying the CORONA pandemic specifically, the conditions of exceptional circumstances apply to this pandemic, as the strength of the epidemic in terms of prevalence and impact has exceeded the capacity of individuals and super-Powers.

States have also been unable to limit the spread of dangerous viruses on their national soil and among their members by normal administrative control, which have been unable to stop the virus from creeping.

In addition to the above, this virus, with its lives and the human and material potential it has consumed, posed a major threat to public order in all countries of the world, including Jordan and Palestine, which had to be confronted by extraordinary means of preserving all components of public order.

Second: Administrative control during the Corona pandemic

The CORONA pandemic (COVID 19), in terms of legal description, has been found to be of exceptional circumstances that have negative effects on public order and, according to the administrative authorities, as responsible for protecting public order in all its specific elements, as we have previously indicated, public security and public health, has required measures to stop or limit these effects, i.e. to follow all means of administrative control to protect its citizens from the threat of the epidemic.

This legal adaptation has many consequences relating to the nature of the means used in these exceptional circumstances, the most important of which is to expand the scope of the rules of law in accordance with their prevailing concept under normal circumstances so that the actions of the illegal administrative authorities in normal circumstances are legalized by exceptional circumstances, thus granting the administrative authorities the right to use stricter controls than in normal circumstances, albeit at the expense of the freedoms of individuals (Al-Zafiri, 2020,p. 1530).

The Jordanian Constitution affirmed the ruling to depart from the principles established under normal laws in the event of exceptional incidents in the second paragraph of Article 125 of the Jordanian Constitution, which stated: "When declaring martial law to the king, any instructions that may be necessary for the purposes of defending the Kingdom shall be issued regardless of the provisions of any applicable law, and all persons carrying out these instructions remain subject to the legal responsibility of their actions in the face of the provisions of the laws to be relieved of that responsibility by a special law designed to this end."

In turn, the Palestinian legislation stipulated the same provision, but in the course of the decisions issued in exceptional circumstances by submitting them to the Legislative Council and the approval of the Legislative Council in article 43 of the Palestinian Basic Law, which stipulated: "The President of the National Authority, in cases of necessity that cannot tolerate delay other than the roles of the legislative council, to issue resolutions that have the force of law, and must be presented to the Legislative Council at the first session after these resolutions have been issued, otherwise they will still have If it is presented to the Legislative Council as before and not approved, it still has the power of the law."

Compared to the provisions of the previous texts, the Jordanian legislator distinguished himself from his Palestinian counterpart in terms of not restricting decisions issued in exceptional circumstances by approval by the Legislative Council, as well as the Jordanian legislator's emphasis on the survival of responsibility for violating the laws, this responsibility shall be dropped only when a special amnesty is issued involving violators of specific texts or rules.

Considering that the transition to work in theory of emergency circumstances is in the public interest, the work of the administration in accordance with this system is required to be assessed as much as necessary, and not to exceed its limits, and the neglect must be terminated in accordance with its rules in the event of the end of these circumstances, however, the Jordanian legislator did not provide any provision requiring the administrative authorities to stop traffic in accordance with the martial law system, which makes them absolute authority to end them (Al-Awar, 2013,p.79).

The work of the theory of exceptional circumstances also entails a change in the standards of judicial control over administrative control, and therefore the judiciary does not have the power to overturn administrative decisions contrary to the principle of legality framed for the work of administrative authorities in normal circumstances, which does not mean a total departure from the limits of judicial control, but rather subject to judicial control in accordance with the legal framework created for them, which is determined by the investigation of public prosecution and the conduct of work as necessary (Al-Dhafiri, 2020,p. 1530).

2.3. Impact of the CORONA pandemic on public order

Covid 19 is of a special nature, with many characteristics that have made it a real threat and an unknown enemy of individuals. Perhaps the most prominent of these characteristics is the ease, speed of its spread and its lack of awareness of the naked eye, as well as its deadly effect, and of course these characteristics have contributed to its extended impact on all components of public order, and this part of the study deliberately demonstrates all the effects of the Corona pandemic, which requires its inclusion to show the impact of the Corona pandemic on public security and the impact of the Corona pandemic on the Corona pandemic. Public tranquility and the impact of the CORONA pandemic on public health.

1.2.3 Impact of the CORONA pandemic on public security

The impact of the Corona pandemic (COVID-19), the security aspect of individuals' lives, has become widespread, easy and easy in terms of movement between individuals, a threat to their lives that may affect anyone at any moment and everywhere, and this has created psychological insecurity for them due to fear and panic of the disease, and this internal panic of individuals has led to many negative consequences, most notably weakening social ties between individuals where the individual is now afraid of everyone and considers it as a vector of infection. And disease.

This fear and psychological anxiety have also led some to refrain from going to all businesses as well as the public, most notably health centers, often as a hotbed of transmission.

To confirm this, the results of the study conducted by the Center for Strategic Research at the University of Jordan concluded that (66% of citizens are highly and moderately concerned and afraid of CORONAVIRUS, while those who are not concerned and afraid of Coronavirus did not exceed (24% of citizens (Report of the Center for Strategic Studies at the University of Jordan, 2020).

2.2.3. The impact of the CORONA pandemic on public tranquility

He sees the impact of the general tranquility of individuals accurately in the stage of announcing some preventive security measures, notably the total ban, where chaos is spreading in markets and shops of all kinds.

According to the Center for Strategic Research at the University of Jordan, 41% of citizens believe that the market slump was the result of citizens' fear of food disruptions, while 26%

believe it is because of insurance. Citizens' food needs throughout the curfew (Report of the Center for Strategic Studies at the University of Jordan, 2020).

3.2.3 Impact of the CORONA pandemic on public health

The element of public health is the most affected element of public order by the Corona virus, as this virus tampered with the health of many individuals and claimed the innocent lives that were unable to defend themselves in the face of an enemy not seen with the naked eye.

The impact of The Corona Virus (COVID 19) on the health of infected individuals has not only threatened the health of all citizens of the Hashemite Kingdom of Jordan and Palestine through its impact on the health system, which now does not provide the minimum basic health standards to be provided to individuals, to focus most of its attention on the Corona virus, and the accession of many of its cadres to epidemiological investigation teams working on daily examinations.

4. Administrative control methods used under a pandemic

The administrative authorities in the Kingdom of Jordan have adopted several strict house controls concerning individuals, and the Kingdom ranked first out of 13 countries in the world measured the severity and rigour of the application of preventive measures during the Corona pandemic, and Jordan received the full degree (100/100) in indicators of rigour and remained maintaining this degree for 34 days (Jordan Strategies Forum Report, 2020), These house arrests are based on Article IV of the Defense Act, which states: "The Prime Minister exercises the following powers:- a- restrictions on the freedom of persons to meet, move and reside, and arrest and arrest those who are like them or those who are dangerous to national security and public order. 2. Assigning any person to do any work or perform any service within his capacity, "and the means of administrative control were divided under the pandemic, whether in Jordan or Palestine, into two types, the first of which is Determined exactly by the sharpness of public freedoms, but again embodied in the administrative control that complements a process of people's freedom.

1.4. Severe control of people's freedom

1.1.4. Block mobility

In terms of its mechanism, it forces persons not to leave their homes or places of residence during the period appointed by the Government during the defense order, with some exceptions contained in the same order or in a subsequent communication, and through this procedure the administrative authorities of Jordan and Palestine have succeeded in halting the simultaneous spread of viruses with the movement of individuals.

2.1.4. Preventing gatherings in all its forms

Through this measure, the administrative authorities in Jordan and Palestine have worked to prevent all forms of gatherings, including concerts, events and all forms of gatherings in which more than 20 people are more than 20 people, as a threat to the safety of individuals, and this means has succeeded in reducing the rapid increase in injuries resulting from the mixing of an injured individual to a large group of individuals simultaneously.

3.1.4 Isolation of areas

The administrative authorities in Jordan and Palestine have isolated many areas where cases have increased so dramatically that they are epidemic hotspots from the rest of the regions and through this decision the authorities have succeeded in preventing the movement of viruses from one region to another through the movement of individuals in epidemiological focal points to areas where there have not been many cases of illness.

4.1.4 stone coming from abroad

The administrative authorities worked exclusively to isolate all persons coming from abroad, where they were forcibly placed in specific places from which they are not allowed to leave or move within the Kingdom, with the aim of restricting the movement of injured or suspected injuries and preventing the spread of entry of corona virus into the territory of the Kingdom.

2.4. Complementary controls to restrict people's freedom

1.2.4. Preventing vehicle traffic

In conjunction with the announcement of a total ban on the movement of individuals, and in order to block any legal loophole, the administrative authorities in Jordan and Palestine announced a total ban on the movement of vehicles in order not to expand the movement of personnel, which leads to the spread of viruses in all regions.

2.2.4. Closing institutions and facilities

As crowded places for individuals on the one hand, and to achieve the strict integration with the total prohibition of mobility, the administrative authorities in Jordan and Palestine issued administrative decisions to close all government institutions as well as the scourge of commercial establishments, and medical care institutions such as health centers and hospitals have been outside the scope of this ban due to the effectiveness of their role in these circumstances.

5. Conclusion

This study reflected the reality of the role of public administration in the state in light of the spread of the Corona pandemic in Jordanian and Palestinian society, and the objective treatment in this study was divided into four parts, the first of which meant a statement of what the role of the administration in protecting the public order and the exact administrative determinant in terms of definition and control means, while the second part was the types of administrative control, which depend in terms of division on the conditions prevailing in the community, while the third part specialized in the legal adaptation of the Corona pandemic. The nature of the control means is determined, while the fourth part shows the preventive and control measures used by the Public Administration in Jordan and Palestine to protect public order with the three components specified in public security, public tranquility and public health.

1.5. Results

1. The CORONA pandemic belongs to the range of exceptional and unusual circumstances that must be dealt with in accordance with exceptional rules.
2. The administrative controls established to protect public order vary depending on the circumstances surrounding society, meaning that there are circumstances that require the use of stricter and harsher controls than those used under normal circumstances.
- 3- Although it is contrary to the normal rights of individuals, certain administrative acts or actions are considered illegal in normal circumstances, such as limiting freedom, legitimate in their existence.
- 4- The Jordanian and Palestinian government, through its many harsh measures, has succeeded in controlling the Corona pandemic.

2.5. Recommendations

1. The theory of exceptional circumstances allows administrative bodies to use means that limit the freedom of individuals and allow their rights to be directly infringed, and this study therefore Recommends the Jordanian legislator to include a provision requiring that this theory be approved as in Palestinian legislation.
2. The Palestinian legislator did not refer to epidemics in his home country because of exceptional circumstances, and given the evidence of the Corona pandemic as exceptional and dangerous to society, this study recommends that the Palestinian legislator amend the text and add the ob. to a number of exceptional circumstances.
- 3- The Palestinian legislator restricted the validity of decisions issued in exceptional circumstances by the approval of the Legislative Council, which is contrary to its exceptional nature and requires a rapid administrative reaction, and therefore our study recommends amending the provision and granting full authority to the administrative authorities in exceptional circumstances.

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