

Pushing the Appeal Against Fraud Before the Administrative Judiciary: A Comparative Study

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Abstract

The purpose of this study is to determine the jurisdiction to hear counterfeiting appeals if raised before administrative courts in Jordan, By comparing the position of the administrative judiciary in Jordan with that of the French and Egyptian administrative judiciary, Indicate whether the jurisdiction of the court in question is discretionary or restricted. The statement of the legal nature of this appeal and the position of jurisprudence and administrative judiciary on this nature. The results of the study showed that both the French and Egyptian administrative courts have admitted to themselves the power to consider the case of filing an appeal against forgery before the administrative courts, considering that the challenge of forgery is a sub-payment of the original judge. This was confirmed by the French State Council and the Egyptian State Council through the rulings of their administrative courts. One of the most important recommendations of the study was that the Jordanian administrative judiciary, especially after the issuance of the current administrative judiciary law, which came in response to the constitutional amendments scheduled in 2011, following the conduct of the French and Egyptian administrative judges, considering the impeachment of fraud by the original judge as a subsidiary payment to the original judge.

Keywords: Forgery, administrative jurisdiction, legal nature.

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1. Introduction

The allegation of forgery represents the sum of the procedures stipulated by the Evidence Law and the Evidence Law to prove the invalidity of official or customary papers, These procedures are intended to find out whether the paper presented in the case is correct or incorrect to reach the result represented by the judgment issued to accept or exclude the paper. The allegation of forgery is, in fact, an interlocutory request so that it may not be claimed after the closing of the pleading and can be made at any stage of the case as it is an objective payment related to the merits of the case.

The judgment of the fall of the allegation of forgery is permissible by the court or not by the court, as the circumstances indicate. Evidence of forgery is all the facts and circumstances on which the plaintiff is based on the facts and circumstances sufficient to form the doctrine of the court in the subject of the dispute, so it is required that the claim of forgery is acceptable and productive in the dispute.

This study came to show the validity of the administrative courts in Jordan from the power to consider the appeal of fraud and investigation if raised before it or invalidity by referring this appeal to ordinary courts and the extent of change in its position after the constitutional amendments in 2011.

1.1. Study problem and questions

The problem of the study about the validity of the administrative courts in Jordan is to see the application of the challenge of forgery if it is raised in a lawsuit filed before it as a sub-substantive payment related to the main lawsuit or not to recognize this authority itself on the basis of not being granted such authority by the Jordanian legislator, especially since the legal principles are the work of the administrative judiciary through the administrative judge, who must devise solutions and industry keys to resolving any dispute may be brought before it.

Through the above, the problem of the study crystallizes in answering the following questions:

The first key question: What is meant by payment by the appeal of fraud before the administrative judiciary?

The second key question: What are the sections of forgery?

The third key question: What is the legal basis for the payment of counterfeiting appeal before the administrative judiciary?

The fourth key question: What is the legal nature of the payment of counterfeiting appeal before the administrative judiciary?

The fifth key question: What are the limits of judicial control over the payment of appeals against fraud before the administrative judiciary?

1.2. Objectives of the study

The main objective of this study is to determine the jurisdiction competent to hear the challenge of fraud if it is

raised before the administrative courts through the survival of this jurisdiction of the administrative judge as the judge of origin because this appeal is one of the subordinate appeals of the original judge or that the original judge refers it to the ordinary judiciary as Not competent for such appeals.

1.3. *The importance of the study*

The importance of this study lies in two ways: theoretically by determining the legal nature of the challenge of fraud before the administrative judiciary.

In practice, by determining the jurisdiction competent to hear this appeal in the judgments issued by administrative courts that uphold or deny the extent of their right to hear this appeal.

1.4. *Limits of the study*

The position of the administrative judiciary in Jordan and its comparison with the position of the French administrative judiciary and the Egyptian administrative judiciary.

1.5. *Methodology*

This study followed the analytical, descriptive and comparative approaches.

1.6. *Study Terms*

- Falsification: Change of truth in an editor protected by law in one of the ways prescribed by law with a view to using it in what was written for it.¹

- Administrative Justice: means administrative courts that have jurisdiction over administrative disputes under a cancellation lawsuit. The dual judiciary is constituted by special laws such as the Jordanian Administrative Judiciary Law No. 27 of 2014.²

-Legal nature: It is intended to determine the nature of the challenge of fraud, whether it is a formality, substantive payment or a special payment that is not related to form and is not relevant.³

2. **The definition of the payment of appeal by fraud before the administrative judiciary**

The legislator did not specify a specific definition of fraud, fraud is the maze of jurisprudence and justice. Falsification in the jurisprudence of the Arabic language denies disbelief and unhealthy. It is intended in the jurisprudence of law to change the truth by word or deed or in writing or otherwise the content of the editor of the truth, whether this variation material or moral.⁴

And to identify the definition of fraud from the legal, judicial and jurisprudence alike. It has been defined by a doctrinal trend as a change, in reality, whatever means and whatever the subject resort to the perpetrator in order to cheat the victim and fraud.⁵

The Egyptian Court of Cassation defined the allegation of forgery as the sum of the procedures stipulated by the law to prove the invalidity of the papers. In this way, he is merely a means of defense located on the documents of the case and is intended to obtain a benefit and interest in the rejection and payment of the litigant's claim.⁶

Another jurist identified him by saying that changing the truth in an editor in one of the ways stipulated by the law would cause harm and combined with the intention of using the editor in what was prepared for him.⁷

The Jordanian Court of Cassation defined it by defining its availability by three conditions: changing the truth in one of the ways prescribed by law, the availability of criminal intent, and the occurrence or possibility of damage.⁸

As defined by the Egyptian Supreme Administrative Court by saying that it is merely a means of defense in the same subject matter of the lawsuit, and proceeding in its investigation can only be to proceed with the original litigation proceedings, as any dispute in the fact of the case on which the judgment depends Whenever the allegation of forgery is productive at the origin of the dispute, it is inconceivable that the case can be

¹ Dr. Ahmed Fathi Sorour - Mediator in the Penal Code - Special Section - Book 1 - Crimes Harmful to the Public Interest - 2016 - Dar Al-Nahda Al-Arabiya - p. 793

² For more details, refer to the Jordanian Administrative Judiciary Law No. 27 of 2014 and several publications of Jordanian jurisprudence that talked about the emergence of administrative justice in Jordan.

³ For more details see Dr. Mohamed Maher Abu El-Enein - Defenses within the scope of common law - (composed of 5 parts) - 2003 - Dar Al-Nahda Al-Arabiya.

⁴ Dr. Mohammed Al-Mongi - Sub-fraud case (Civil) - 2002 - p. 108.

⁵ Dr. Mahmoud Naguib Hosni - Explanation of the Penal Code - Special Section - 1986 - Arab Renaissance House - p. 193.

⁶ 11-1-1978 Appeal No. 35 for the year 45 Judicial - Referred to by the lawyer Ibrahim Al-Mongi - Canceling the administrative decision - I - 2004 - Al-Maaref Alexandria - 347.

⁷ Dr. Kamel Al-Saeed - Explanation of the Penal Code - Crimes harmful to the public interest - 2011 - House of Culture for Publishing and Distribution - Amman - p. 11.

⁸ Jordanian Court of Cassation - Penal Cassation - No. 246/77 - Journal of the Jordanian Bar Association - 1978 - p. 222.

adjudicated before deciding on the forgery.¹

3. Forgery Sections

Jurisprudence used to divide forgery in terms of the way it was committed to material and moral forgery. Physical counterfeiting is what occurs with a physical means that has a tangible effect that the eye can perceive.

Moral forgery is the result of a change in the content of the editor or in his circumstances and circumstances rather than in his material and form, it is characterized by that it does not leave a visible and revealing effect can be perceived by sense, counterfeiting sometimes occurs in both ways.

It is to be noted that physical forgery is inherently easier to prove than moral fraud, as it does not require more than the examination of the editor himself. Moral forgery cannot be proved by the same editor, but by other things that are sometimes available and sometimes impossible.²

Another considers that forgery is divided into two types: physical forgery, moral forgery, and physical forgery are meant to take physical measures such as changing the content of the editor. For example, the tradition of signing, erasing, or harassment, and material fraud is one of two ways: The first is the manufacture of an official paper does not exist and assigned to a competent public official and put false signatures and seals, including the illusion that it is a true paper issued by this employee. The second is a physical change in a valid official paper by adding to it or cramming between its words and lines or erasing it.

Moral falsification means the formulation of an incorrect fact in the form of a true fact, for example, that a person on behalf of another person or to mention an incorrect date or to prove the public official that the amount paid in front of him or that a statement has been shown in his presence, all contrary to reality.³

Another says⁴ that the two types of forgery are: 1 - physical forgery, which is all the change of truth in an editor in a material way that leaves a sense of sense and fall on the eye, whether it is increased or deletion or amendment or the creation of an editor does not exist in the original and the truth. 2-Moral forgery is any change of the truth in the editor in a moral way or is to make a forged fact in the form of a real fact, it is found whenever the counterfeiter introduced a change but not in its material and form, but in its meaning, context, circumstances, and circumstances so that the sense does not realize its impact does not fall on it Eye.

Allegations of fraud are on both official and customary papers. The difference between them is that the official papers are falsified material or moral, while customary papers are falsified material only as it does not envisage moral fraud.

The appellant may take one of the two paths of denial or forgery, as stipulated in Article 140 of the Egyptian Evidence Law.⁵

4. The legal basis for of the payment of counterfeiting appeal before the administrative judiciary

Through extensive reading and careful analysis of the Egyptian legislator's apparent intention to deepen the principle of the independence of the administrative judiciary from the ordinary judiciary.

The Egyptian legislator introduced several provisions and made several amendments to the existing texts in the Evidence Law, the Civil Law and the Law of Procedure. Among the most important of these provisions is the procedure for challenging counterfeiting before both the civil and administrative judiciary in order to achieve many of the objectives of facilitating the procedures of proof, and to achieve more positive judge and effectiveness by providing him with more freedom of movement at this important stage of the proceedings, so as not to leave the disclosure of the truth pending the opponents alone to ensure the stability of the rights and block the trick for students to waste time or amateur. In addition, the Egyptian legislature has compiled the substantive rules of evidence and its procedural provisions in an independent codification that separated them from the Civil Code and the Code of Procedure and made sure to review them in order to achieve these objectives.

4.1. *The limits of judicial control over the payment of appeals against fraud before the administrative judiciary*

Jurisprudence has spoken of this nature by defining counterfeiting as a change of truth in an editor in one of the ways that the law contains a change that would cause harm to others, It falls under the Penal Code if it has the criminal intent and is the subject of a public action by the Public Prosecution before the criminal courts with the punishment of the forger. Furthermore, counterfeiting is the subject of civil action to compensate for the damage caused by counterfeiting, to prove the forgery and drop the authenticity of the counterfeit paper and to prove the fraud that occurred from the adherent of the counterfeit paper.

¹ Appeal No. 544 of 21 Judicial - Hearing 24/12/1977 - Referred to by Dr. Mohammed Maher Abu al-Enein - Defenses in the scope of the common law - Book I - Dar Al-Nahda al-Arabiya - 2003 - pp. 932-934.

² Dr. Awad Mohamed Awad - Crimes harmful to the public interest - 1985.

³ Dr. Mohammed al-Mongi - op.cit- p. 109.

⁴ Lawyer Mohammed Abdul Rahim Anbar - Attorney Attorney - the third issue - the year 49 - p. 98 He was referred to by lawyer Ibrahim al-Munji - p. 348.

⁵ Lawyer Ibrahim Al-Mongi - Canceling the Administrative Decision - 2004 - I - Knowledge Facility - Alexandria - p. 349.

Accordingly, the legal nature of the appeal for forgery is merely a substantive payment in relation to the evidentiary procedures for wasting the authenticity of the paper entrusted to the opponent, or the exclusion of the evidence of the litigation claim derived from this paper, it is merely part of the proceedings to investigate the case such as expertise or investigation.¹

Fraud may be claimed in any case before the court of the first instance, whether before the first or second instance. Since the allegation of forgery is, in fact, an interlocutory request (objective payment), it is not permissible to claim the forgery after the closing of the pleading and may be invoked no matter how long the date of the fraud was committed. This is because it is a statute of limitations and is not affected by the statute of limitations of the criminal case, but it is eliminated by the causes of the expiry of discounts such as abandonment, waiver, expiry, and reconciliation.²

4.2. The limits of judicial control over the payment of appeals against fraud before the administrative judiciary
And to answer this question. The researcher will review the statement of the limits of judicial control before the administrative judiciary. The position of the French, Egyptian and Jordanian administrative courts.

4.2.1. The French administrative judiciary:

Through a thorough reading of the position of the French administrative judiciary, the researcher believes that this judiciary dealt with this issue with sensitivity imposed by the circumstances of its historical origin and the nature of its relationship with the ordinary judiciary. Where it was initially recognized that the decision to appeal fraud and investigation is the competence of the ordinary judiciary and the appeal submitted to it before the administrative judiciary is a preliminary matter requires stopping the proceedings until the referral of the appeal to the ordinary judiciary for adjudication within the time specified in the texts in force before the State Council and Administrative Courts. However, as a result of the legislative developments concerning the French State Council and the evolution of its judgments over time, the French administrative judiciary was able, on the basis of the principle of separation of ordinary and administrative judiciary, to challenge the fraudulent administrative decisions and judgments issued by the administrative judiciary from the ordinary judiciary and considered that it is competent.

Accordingly, the French administrative judiciary, represented by the Council of State, has jurisdiction to appeal the fraud raised before its courts.

4.2.2. The Egyptian Administrative Judiciary:

Dealing with the challenge of forgery simply and objectively without any sensitivity where the approach of this judiciary agreed and the nature of the administrative lawsuit and the procedures that prevail in this case in terms of simplicity and non-complexity, considering that the challenge of forgery is a sub-payment of the original judge.

The jurisprudence direction of the Egyptian Supreme Administrative Court is a general principle when the legislator authorized the court to rule on the dismissal or invalidity of an editor if it is clearly evident from his case or the circumstances of the case that he is fraudulent without being bound by specific evidence of fraud. Prior to the judgment in the subject matter of the lawsuit, provided that the claim of forgery is acceptable and productive in the dispute.³

The courts of the Council of State have settled from the beginning of their judgments on their competence to consider the challenge of forgery on the grounds that the objection to challenge the administrative case objectively. The administrative judiciary to dismiss the defenses arising before him pursuant to the rule that the branch follows the original in determining jurisdiction in the sense that the judge of origin is the judge of the branch.

Accordingly, the Court of Administrative Justice settled its judgments.⁴

The Egyptian Supreme Administrative Court ruled in this regard, confirming the jurisdiction of the administrative judiciary in this appeal, where the majority of its judgments bear the same contents, which the researcher believes that constitutes an inherent judicial stability and firm in terms of the jurisdiction of the administrative judiciary to investigate the challenge of fraud in documents or in the case Administrative and non-stop the proceedings because of the allegation of fraud, which is one of the substantive defenses arising from the original lawsuit, If the provisions of the Law of the Council of State are absent from the provisions of the decision on the appeal of forgery, it is due to the rules applicable before the ordinary judiciary contained in the Evidence Law as general rules that are compatible with the nature of the administrative case and do not

¹ Lawyer Ibrahim Al-Mongi - previous reference - pp. 349-350.

² Dr. Mohammed Maher Abu al-Enin - previous reference - p. 913 and beyond. See also Lawyer Ibrahim al-Munji, op.cit., P. 350.

³ Dr. Abdelhamid Sedky - Essay of Falsification of Administrative Papers - The Administrative Court Ruling in Appeal No. 856 of 23 Judicial - Session 8/4/1995 - State Council Magazine - Seventh Year 1957 P. 928.

⁴ For more information on the Administrative Court's judgments in this regard, see its previous ruling on 22 June 1948, the second year, p. 826, concerning the challenge of moral fraud before it, as well as its ruling of 22 January 1947, the first year, p. 532 and other judgments referred to in the author of Dr. Mohamed Maher. Abu Al-Enain - previous reference - p. 929 and beyond.

contradict the general principles of administrative procedures. The Administrative Judge shall decide on the challenge and investigation of forgery as a means of defense in that matter which the original judge is competent to hear. In particular, it carries the provisions contained in the Evidence Law as general provisions that can be applied before the administrative judiciary and do not conflict with the nature of administrative procedures. This is consistent with the nature of the case and full respect for the rights of the defense in the simplification of procedures and the speedy adjudication of the case rather than stop its progress until the challenge of fraud by the ordinary judiciary.¹

4.2.3. The Jordanian Administrative Judiciary:

Since the Jordanian Court of Cassation considered the administrative dispute as a High Court of Justice through the formation of the statutory courts No. 26 of 1952, under the Supreme Court of Justice Law issued by the Interim Law No. 11 of 1989, which represents the real beginning of the emergence of the dual judiciary in Jordan. This was abolished and replaced by the Supreme Court of Justice Law No. 12 of 1992, the researcher could not find any applications in the administrative judiciary in Jordan related to the resolution of appeals fraud.

This is due to the stability of the Jordanian High Court of Justice in its judgments that it applied the provision of Article 99 of the Jordanian Procedural Code, which states that "if it is claimed that the supporting bond is forged and the court is asked to scrutinize it and there are evidence and signs in support of the existence of fraud, the court shall take from the plaintiff a fraud guaranteeing to his opponent any malfunction and damage if his claim is not proven. It then refers to the investigation order to the fraud case to the prosecution and defers the consideration of the original lawsuit until it decides on the said fraud case.²

According to the researcher in his comment on the approach of the Supreme Court of Justice, which is repealed by law that this text strikes the jurisdiction of the High Court of Justice to consider the allegation of fraud and orders it to refer the case to the competent judicial authority.

An idiosyncratic trend is attached on this approach, the High Court of Justice stated that in the event that the matter was raised by the adversary by claiming to forge the bond and asking him to investigate it, the law gave the court discretion on the matter³. It does not seek to refer the matter to the investigation unless there is strong evidence that the claim is correct to ensure the right of the other party. The court then refers the litigants to the examining magistrate to verify the validity of the claim and considers the case to be delayed until a final verdict has been issued regarding the case of forgery. In the sense of violation, if the court finds that the paper does not affect the outcome of the lawsuit, it does not delay the case, it continues to consider and make its decision without waiting for the outcome of the appeal, which is exactly what Article 99 of the Code of Civil Procedure has meant.

According to the researcher, the Supreme Court of Justice should have jurisdiction to deal with appeals relating to forgery in respect of administrative decisions and documents based on the legal rule that says that "the original judge is the branch judge" and this was taken by the French and Egyptian administrative courts.

The administrative judge does not suffer from the crisis of provisions in the Code of Civil Procedure and Evidence Law, but the real suffering lies in the many restrictions on the jurisdiction of the High Court of Justice, which we demand to remove so that the administrative judiciary exercises its role in overseeing the validity of the application of various laws without restrictions. Because of the clear interest of the state and individuals because the value and effectiveness of the legal rule is inextricably linked to the health and safety of the application and that the best way that has proven effective to ensure the safety of law enforcement is the means of judicial control over administrative decisions and can in no way Sings them no other way.⁴

One of the rulings of the High Court of Justice demonstrating this approach is that it ruled in its judgment that "The conviction of the sergeant for public security who is absent from his unit and forging his leave forms and sentencing him by fabricating false certificates shall deprive the perpetrator of his retirement rights.⁵

It also ruled in another judgment that "Article 19/2 of the Jordanian Nationality Law No. 6 of 1954 and its amendments authorized the Council of Ministers with the consent of His Majesty the King to revoke any naturalization certificate granted to any person if fraud appears in the evidence on which the naturalization certificate was based. The effect of this loss of the holder of Jordanian nationality.⁶

¹ For further details, see Court Appeals with Nos. 3671 and 3745 of 44 Judicial - Hearing 9/1/2002 - Appeal No. 3440 of 31 Judicial - Hearing 12/3/1988 - Appeal No. 544 of 21 Judicial - Hearing 24/12/1977 - And appeal No. 2428 for 44 judicial year - hearing 31/12/2000 - and many other provisions see Dr. Magdy Mahmoud Moheb Hafez - Encyclopedia of Supreme Administrative Court rulings in fifty years from 1955 to 2005 - Mahmoud House for Publishing and Distribution 2007-2008.

² Jordanian Civil Procedure Law No. 24 of 1988 and its amendments for 2017 - Article 99.

³ Dr. Habis Rakkad Khalif Al-Shabib - Written statements to prove the illegality of the administrative decision in the cancellation lawsuit - a comparative study - the first edition.

⁴ Habib recession Shabib - previous reference - p. 214.

⁵ Supreme Court - Judgment No. 248/91 - Date 17/2/1992 - p. 2019 - 1992 - Journal of the Jordanian Bar Association - (Legal Principles of the High Court of Justice since the beginning of 1988 until the end of 1992) - Preparation of the Technical Office - and see its ruling No. 47 / 78 - Journal of the Bar Association - No. 1 - for the year 1992 - p 25.

⁶ Jordan High Court of Justice - No. 204/2002 - 29/7/2002 - Adalah Publications.

Due to the constitutional amendments in 2011, Article 100 of the Jordanian Constitution of 1952 was amended to have two levels of the administrative judiciary. In response to the legal legislator of the constitutional legislator, the Jordanian Judicial Law No. 27 of 2014 was adopted to replace the High Court of Justice Law and repeal it. Currently, this law introduced a provision that was not found in the superseded High Court of Justice Acts, article 41, which reads as follows: "In cases other than those provided for in this law, the provisions of the Code of Civil Procedure shall apply in a manner consistent with the nature of the administrative judiciary".

The question we ask here is whether the approach of the administrative judiciary has changed whether it is possible to consider the imposition of counterfeiting appeals in front of it, or is the old approach prevailing?

This is what we will recognize through the rulings of the Administrative Court and the Supreme Administrative Court in Jordan? Will the updated text of article 41 be used as it is compatible with the nature of the administrative judiciary?

In fact, the researcher did not find any judicial verdict or legal principle indicating that the administrative judiciary in Jordan has changed its behavior despite the change of the High Court of Justice Law No. 12 of 1992 and the dissolution of the Jordanian Administrative Judicial Law No. 27 of 2014 which introduced the text of the article. 41 of it.

For the researcher's keenness on the possibility of change, there was a long talk between the researcher and several administrative judges, it has been established through discussions that judges of our administrative courts still tend to be incompetent to challenge fraud if raised before them. They may have found their advantage in the text of article 41 of the Code of Administrative Justice in force with the help of the Code of Civil Procedure, in particular, the text of article 99, which states that: If the alleged bond is forged and the court is asked to investigate this and there is evidence to support the existence of forgery, the court shall take a guarantee from the plaintiff of the forgery to ensure that the defendant may suffer any malfunction and damage if his claim is not proven and then refer the investigation order to the fraud case. The prosecution postpones consideration of the original lawsuit until it decides on the said fraud case. However, if the deed allegedly forged relates to one or more articles, the consideration of the rest of the articles contained in the lawsuit shall not be delayed, as this provision is consistent with the nature of the administrative judiciary in Jordan.

According to the researcher, the opinion expressed by the administrative judges in Jordan is only an affirmation of the practical mentality of the administrative judge in Jordan, through their assignment to administrative courts without qualification and training on the nature of the administrative judge's work, which brought with it the practical nature of the ordinary judge.

5. Conclusion

This study concluded to reach the position of the administrative judiciary in both France and Egypt, which confirms the competence of this judiciary by considering the appeal of fraud raised in its courts. This position, which we support and did not take the administrative judiciary in Jordan by taking a different position to what settled the judiciary. Administrative in the two countries subject of comparison. The following conclusions and recommendations were made:

5.1. Results:

- The study concluded that the legislator in the countries under study did not address the definition of forgery, which is a good thing and left it to the jurisprudence and the judiciary is better able to determine the definition of a comprehensive barrier.
- The study reached the agreement of the countries in question on the legal basis for the payment of the challenge of fraud.
- The study reached the jurisprudential and judicial agreement on the legal nature of the payment of the challenge of forgery as an objective payment that can be raised at any stage on which the case is before the closing of the pleading.
- The study reached a jurisprudential and judicial agreement in the countries under study on the discretionary power of the court pending the investigation to challenge the fraud and its productivity or its consideration if it is not productive in the lawsuit.
- The study reached the agreement of the administrative judiciary in both France and Egypt on the jurisdiction of the administrative courts from the point of view of filing an appeal against the fraud raised before it as a branch belonging to the judge of origin.
- The study concluded that the administrative judiciary in Jordan has distanced itself from the consideration of the appeal of fraud raised in its courts by suspending the case and referring the appeal to the competent ordinary court, thus pursuant to the Jordanian Civil Procedure Law.

5.2. Recommendations:

- The study recommends the need to prepare administrative judges specialized in how to make solutions and innovate the legal principles to resolve the administrative disputes before them because the nature of the administrative judge's creative nature is different from the nature of the ordinary judge applied to the texts.
- The study recommends that the provisions of the Jordanian Administrative Judiciary Law should be amended to include the jurisdiction of its courts, not all administrative disputes related to final administrative decisions.
- The study recommends the need to issue a law on administrative pleadings before the administrative courts covering all procedures relating to the filing of the cancellation claim until the final decision of the dispute.
- The study recommends the need for the stability of the Jordanian administrative judiciary that the appeal to falsify fraud before the courts is a sub - payment and not a new case referred to the ordinary judiciary.
- The study recommends that the administrative judiciary in Jordan should behave in the administrative judiciary in both France and Egypt by recognizing for itself the consideration of appeals relating to forgery before it as a sub-defense of the original judge.

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