Study Plan
Ph.D. In Public Law

I. General Rules and Conditions:
   1. This plan Conforms to the valid regulations of programs of graduate studies.
   2. Areas of specialty admission in this program:
      - Holding both Bachelor and Masters (LLM)Degrees in Law

II. Special Conditions:
   1. Having experience in the legal field for a period not less than three years, in which
      the following fields are considered: Judicial (Courts), Advocacy (Lawyers), Legal
      consultancy, and Legal education.

III. This study plan: Studying (54) Credit Hours as follows:
   2. Compulsory Courses: (21) credit hours of the level (900) and above:

<table>
<thead>
<tr>
<th>Course Number</th>
<th>Course Name</th>
<th>Credit Hours</th>
<th>Previous Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1002941</td>
<td>International Responsibility</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002942</td>
<td>The Law of the Sea</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002951</td>
<td>The Principle of Separation of Powers in Contemporary Constitutions</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002961</td>
<td>The Legal Responsibility of Public Administration for its acts</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002971</td>
<td>Criminal Liability and its Legal impediments</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002972</td>
<td>Contemporary Crimes</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002973</td>
<td>Means of Contesting Criminal Cases</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

3. The Optional Courses: (15) credit hours from the following:

<table>
<thead>
<tr>
<th>Course Number</th>
<th>Course Name</th>
<th>Credit Hours</th>
<th>Previous Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1001901</td>
<td>Philosophy of Law and Comparative Law</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002943</td>
<td>Environmental Law</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002944</td>
<td>International Humanitarian Law</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002952</td>
<td>Constitutive Adjudication</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002953</td>
<td>The Islamic Governing System</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002962</td>
<td>Administrative Adjudication</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002964</td>
<td>The Contracts of Public Administration</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002974</td>
<td>International Criminal Law</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002975</td>
<td>Double Taxation</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>1002982</td>
<td>The Methods of Legal Research</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

1. Pass the qualifying Exam (1002998)
2. Dissertation: (18) Credit hours (1002999).

Description of Public Law Courses

(1002941) International Responsibility: (3 Credit hours)
This course addresses the rules of international responsibility as approved in the draft prepared by the International Law Commission of the United Nations through its project on international responsibility; it also addresses the provisions and clauses associated with international responsibility in its objective and subjective elements. This course also addresses the cases for lifting non-legitimacy such as acceptance, counter-measures, force-major, necessity and self-defense (especially with the development of recent claims of new concepts for the conditions thereof). In addition, this course addresses diplomatic protection, its conditions, its waiver and its effects; and finally, for the increasing importance of international organizations, this course will address responsibility within such organization.

(1002942) The Law of The Sea: (3 Credit hours)

The main subject of this course is the 1992 UN Convention of the Seas, which regulates many important relational topics, such as: the economic exploitation of the sea bed, the principle of investing sea resources beyond the restricted Economic Zone, as well as the rules of the law of the sea. It also addresses the means of protecting the sea environment from pollution and the main rules of the Law of Seas. It also addresses the means for striking a balance between state sovereignty on one side and the right of free navigation on the other side, as well as the settlement of disputes in international disputes regarding the Law of Seas, especially the International Court of the Law of Seas, and the case law thereof.

(1002951) The Principle of Separation of Powers in Contemporary Constitutions: (3 Credit hours)

This course is divided into two parts; the first part addresses the historical evolution of the principle of Separations of Powers, the meaning of this principle, the legislative classification of the inter-relations between the governing powers. The second part of this course addresses the application of the principle of Separation of Powers in contemporary legal systems.

(1002961) The Legal Responsibility of Public Administration for its acts: (3 Credit hours)

This course is divided into two parts; the first part addresses the different acts of public administration, especially the legal and material acts and the inter-relation between the two. The second part addresses the responsibility of Public Administration for its acts, by examining the theoretical and practical aspects for the grounds of such responsibility as well as its application and effects. This course also addresses the theory of risk (responsibility is assumed regardless of negligence) and the related jurisdiction and case-law.

(1002971) Criminal Liability and its legal impediments: (3 Credit hours)

This course addresses the definition of Criminal Responsibility, its historical background, its basis, its role in protecting both individuals and society; it also addresses the relationship of Criminal Responsibility with both general responsibility and Criminal and Civil Procedural Laws, along with a thorough study of the public theory of Criminal Responsibility in the Jordanian Penal Law.

(1002972) Contemporary Crimes: (3 Credit hours)

This course addresses the contemporary crimes that were created by the scientific and technological revolution, through addressing many topics, such as: IT crimes, crimes against economy (economic crimes), drug-related crimes and any other contemporary crimes that may threaten the Jordanian society, demanding incrimination through legislation. Therefore, this
course also addresses the methodology of incrimination through legislation, such as special laws and the Jordanian Penal Law (especially the private section of this law).

**Means of Challenging Criminal Cases:**

(3 Credit hours)

This course addresses the definition of the concept of Challenging Criminal Cases Theory in the Jordanian Criminal Procedural Law, its role, its objectives and its general principles. It also addresses the status of this concept in the Public Law system, its role in the legal system in general, its relation with the Constitution, the Administrative Law, the Penal Law and the Civil Procedural Law, as well as the means of interpreting and applying this concept. Finally, this course addresses, in depth, the applicable means of challenging criminal cases.

**Philosophy of Law:**

(3 Credit hours)

This course addresses several topics: Positivism and objectivism in legal rule and legal disposition, the concepts of will and personality, and the role of independent and supervisory laws thereof. In addition this course addresses the overlapping between the concept of legal personality, the legal form, the laws of nature and modern societies; and the implications of this overlapping on establishing legal rules (legislation) and its interpretation in diverse schools of thought. Finally, it addresses the application in contemporary comparative legal systems.

**Environmental Law:**

(3 Credit hours)

This course addresses the rules and principles of protecting the environment, the role of Regional and International Organizations in formulating those rules and particularly the unique role of the UN program in this respect, via the international conferences and agreements that were drafted under its umbrella. This course also addresses the role of the European Union in drafting, establishing and applying environment protection policies, and the legal means of applying this policy within the EU region, taking this application as a pioneer model worldwide. In addition, this course addresses the case law of the International Law of Justice (ICJ), its advisory opinions as well as arbitration. Some other topics to be addressed in this course are: the means of conciliating domestic law with international law for the purposes of establishing international co-operation in environmental protection. Furthermore, some of the contemporary subjects will be addressed, such as: water, sea and air pollution, waste, the preservation of nature and, finally, the relationship between environmental law and human rights.

**International Humanitarian Law:**

(3 Credit hours)

This course addresses the definition of human rights, and how the international concept of protecting human rights evolved, concentrating on the role of the regional and international treaties on human rights, in addition to the role of the governmental and non-governmental organization in this respect. This course also addresses some of the main rights, such as: the right to a clean environment, the right to development, the right of self determination, the rights of minorities and so forth. In addition this course will undertake an in depth analysis of the right of human intervention, as one of the important and contemporary topics of human rights, and the modern applications thereof; as well as the penalties for crimes against human rights, such as: violence against woman, torture and so forth.

**Constitutive Adjudication:**

(3 Credit hours)

This course is divided into two parts; the first part addresses the different methods of internal legislation and the role and status of the constitution therein, the various types of constitution according to both source and methods of rectification, the principle of constitutional
supremacy, and the constitutional case law and its role in protecting the interpretation and maintenance of the constitution. The Second part of this course will address the different types of constitutional case-law in contemporary legal systems (France, the U.S. and some other European states).

**The Islamic Governing System:**

This course addresses the following topics: the position and aims of the Islamic theological state, the means of attributing the powers in a state, the difference between the theological state and the Islamic System, directives of the Public Authorities, human rights in Islam, the concept of Public interest, the limits of exercising State-powers with the guarantees for non-abusing such powers: the advisory council system (the Shoura) and the constitutional jurisdiction. This course also addresses some other topics, such as: the responsibility of civil servants, and the effects of breaching the principle of legitimacy; in addition to some other contemporary issues such as, the Islamic governance system, civil societies and their role in the society, the rights of non-Muslims, the political participation of women, the example of Jordan as a modern Islamic State and the Jordanian Civil Code and Family Law.

**Administrative Adjudication:**

This course addresses the definition of the administrative decree, its main pillars, its kinds and the factors that distinguish it from administrative laws, rules, regulations and administrative case law. It also addresses the main elements of the administrative decree (that are revocable before Administrative Courts), which are: its issuance by Public Administration, through unilateral disposition, using the authority granted to it by administrative laws, rules and regulations, and that an administrative decree should be final, hence, capable of creating legal effects. This course will also address the concept of the null administrative decree, the means of protesting administrative decrees in a plea of revocation, and how this can be taken to the Administrative Court, analyzing, in this process, the jurisdiction therein.

**The Contracts of Public Administration:**

This course addresses the general principles of administrative contracts, and the means of settling disputes related to administrative contracts through arbitration; including detailed study of arbitration in such disputes, by defining arbitration, its kinds, its nature, and the difference between arbitration and similar dispute resolution systems, such as mediation, conciliation and expertise. It also addresses the positive and negative effects of resorting to arbitration in administrative contracts, as well as the arguments of both supporters and opponents of arbitration (in such cases) and the implications of those views on domestic (internal) legislation. The final topic addresses the Jordanian experience therein, at both, legislative and judicial levels.

**International Criminal Law:**

This course addresses the definition of the principles of International Criminal Law such as the legality principle and the concept of defense and all other principles related to this.
law, along with the historical background of International Criminal Law and its progression. It also addresses the International Criminal Courts including the Permanent International Criminal Court in The Hague (established in 1998 and took effect in 2002) and its jurisdiction, along with the State’s judicial sovereignty over its territory, as well as the responsibilities and immunities of Head States. This course also addresses the obligations, litigations and crimes that fall under the International Criminal Court’s jurisdiction, as well as the enforcement of the Treaty of Rome at the domestic (internal) law level, and the main legal effects thereto, such as: the liability of individuals under the International Criminal Law, and the International Criminal Courts.

(1002975) Double Taxation: (3 Credit hours)

This course addresses one of the most important problems of contemporary tax systems: double taxation, which takes place at both national and international levels. It will be divided into three parts, the first part will address the two main tax factors (attribution) residence and source, the causes of both national and international double taxation, and the means of its prevention. The second part of this course addresses the international attempts in avoiding this problem using the three main model international double taxation conventions: the most applied OECD Model, the U.S. Model and the U.N. Model. The final part of this course will examine the international double taxation agreements to which Jordan is a member.

(1002982) The Methods of Legal Research: (3 Credit hours)

This course addresses the concept of legal research, the means by which a research plan should be put together using different techniques: Latin system methodologies and Anglo-Saxon system methodologies. It also addresses the means of researching into different kinds of sources written into different kinds of languages. In addition, this course addresses the principles of proper academic authentication, the adequate use of internet and other sources of scientific research based on modern technology, as well as the proper means of analysis, deduction and arriving to conclusions.