

# THE LAWFUL SYSTEM FORDRESSING UP OF A PUBLIC EMPLOYEE

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## ABSTRACT

*The study aims to clarify the nature and nature of dressing up and public employee clothes and the lawful basis for the public employee's obligation to take into account his good appearance and dressing up in the public office, and the consequential authority of the administration in obligating him to wear appropriate clothes and the extent to which the public employee can be held accountable in the event of a breach of his good appearance and dressing up, and if that Sometimes outside office hours.*

*The study concluded several results, the most prominent of which is that dressing up public employee reflects the prestige and position of the job, which gives the administration the authority to extend its control over it. The study also recommended the necessity of explicitly stipulating good clothes and for dressing up for the public employee within the duties of his job, to facilitate the achievement of oversight and accountability in the event of infringement.*

**Keywords:** Dressing Up, Appearance, Disciplinary Responsibility, Lawful Basis

## INTRODUCTION

The public employee is the management tool in carrying out its business. Successive functional legislations have been keen on regulating the work of the public employee, and defining its features by defining the duties and responsibilities of the public employee through the organizational relationship that governs the employee's management.

And since the duties of the public employee are subject to general identification in the functional legislation, his behavior is one of the issues that are difficult to restrict and control, but rather, it varies and differs from one job to another, given the disparity among the job requirements. Behavior that may be considered acceptable in one job may not be considered acceptable in another.

Among the duties of the public employee is his grooming, that is, his clothes and his general appearance.

### Objectives of the Study

The study aims to clarify the nature of dressing and dressing up public employee and its impact on the public job, and to indicate the nature of the authority of the administration in imposing its control over the general for dressing up, and its authority in imposing a penalty on those who violate the general rules of for dressing up when the administration determines that it is a behavioral violation.

The importance of the study lies in what it seeks to achieve through the statement of the effect of dressing up public employee on the reputation of the public job. And thus on the general impression about these facilities, if this clothes were standardized or imposed control, and the statement of the basis on which the administration relies in imposing its control on this dressing up

And the penalty you impose in return for violating this duty or behavior in the event that the appearance is not stipulated among the duties of the public employee.

### **The Problem of Study**

The problem of the study lies in clarifying what is the authority of the administration towards defining the concept of public employee dress and the extent to which a balance is achieved between the right of management to extend its control over dressing up public employee as a duty or as a behavior that is reflected on the public employee and between the public employee's right and personal freedom.

The problem also lies in the nature of the management's authority over the public employee's clothing and personal freedom. It also lies in the nature of the administration's authority over the public employee's clothing outside official working hours, its validity to impose administrative sanction on him, and the adequacy of the legislation governing this issue.

### **The Questions of the Study**

What is the dress of a public employee, what are the criteria for determining the appropriate dress, and the position of administrative legislation on this issue? As well as how much authority the management has over the clothes public employee outside office hours?

### **The Study Method**

As for the study method, the researcher will follow the analytical approach to the legislation governing this issue and indicate its shortcomings, if any. And the descriptive approach to clarifying and clarifying the nature of public dress through relevant legislation and judicial rulings, with a comparison with some countries whenever necessary.

### **Division of the Study**

To achieve the study's purpose, the researcher will divide the study into two sections, the first of which deals with the nature of dressing up public employee. As for the second topic, we deal with the authority of the administration in determining the dress of the public employee.

### **The First Topic**

#### **What is Dressing Up Public Employee?**

Dressing and dressing up public employee and the extent of his fitness play an important role in reflecting the identity of the institution and the public facility. It is the mirror of the personality and prestige of the administration. It distinguishes the public facility from other facilities its human staff.

The employee's commitment to certain clothes as a duty imposed by the administration requires research first in the definition of dressing up public employee, and then it requires research on the lawful basis on which the administration relies in its imposition.

### **The First Requirement**

#### **Introducing Dress Up of Public Employee**

The nature of the relationship between management and public employee reflects what the duties and rights of each of the parties are, as this relationship is determined by its narrowness and breadth as determined by the legislation governing this relationship and the principles of the public job, and to clarify the issue, the researcher will define the public employee in the first section and deal with the concept of general for dressing up in a second branch.

## **First Branch**

### **Concept of Public Employee**

The public employee is known from a set of economic and social factors that prevail in his country and that impose themselves on the nature of the relationship between an organizational relationship called European philosophy and a contractual relationship based on American philosophy (Al-Khalayleh, 2018).

In Jordan, where the organizational relationship based on European philosophy is followed, the legislator is far from the definition (Al-Ajarmeh, 2012), as these definitions also vary according to the legislation contained therein (Qabilat, 2016).

For the legislator to go back and define public employee in the Civil Service System No. 9 of 2020 as the general Sharia for the public job in Jordan in Article 2 with its text: "A person appointed by a decision of the competent authority in a job listed in the job formations table issued under the general budget law or the budget of one of the departments and the appointed employee under a contract and does not include a person who receives a daily wage."

As for the French law, we find it goes to specifying the categories to which the laws of the public job apply (Batarseh, 1997). The French jurisprudence addressed the definition of public employee, so Duguit defined it as: "Every worker contributes in a permanent and ordinary way to the running of a public facility, whatever the nature of the work he performs" (Duguet, n.d) And the French Council of State defined him as: "a person who occupies a permanent position in the cadre of a public utility" (Hardoninm, 1983).

The same is the case in Egypt, where functional legislation has defined the persons subject to them in Article (2) of the Egyptian Civil Service Law No. 8 of 2015 (Official Gazette No. 11, 2015).

Accordingly, the Jordanian legislator has worked on defining the public employee a definition limited to its provisions. The Jordanian Supreme Court of Justice came earlier and gave the public employee its definition: "He is every person who works on a permanent job in a public facility run by the state or a person of public law, regardless of whether the job is listed on the job formations schedule or not"(The Supreme Court of Justice, 1994).

Through these definitions, we can emphasize the basic elements that must be met by the appointed person in order to acquire the capacity of public employee, most notably what is related to the permanence of the public employee, as the jurist de Laubadere says (DeLaubadere, 1984) that the permanence of the job is the first condition for acquiring the capacity of public employee. And we see that with the necessity of working in a facility run by the state or a person of public law, we find the basis that gives management the ability to impose dressing up and a certain appearance on its employees working for it.

## **Second Branch**

### **The Concept of Dressing Up Public Employee**

In the successive civil service systems, including the current system No. 9 of 2020 (The Jordanian Civil Service System, 2020), the Jordanian legislator listed the rules of job conduct and

the duties and ethics of the public job, in the tenth chapter of the system, some of the positive duties that the public employee is required to perform, and others that require him to stay away from them, duties that are imposed because of the job or during the performance of the job.

The obligation of the public employee is highlighted by his lawful oath set forth in Article 67/A of the Civil Service Law: "I swear by Almighty God to act faithfully and faithfully and to preserve the property and prestige of the State."

Among the means of respecting the dignity and prestige of the state is the clothes public employee and his grooming, which must be consistent with public order, public morals and the nature of the job in which he works.

The tenth chapter of the system and in Article 68 included phrases emphasizing in various references to general dressing up, including "the public office is a responsibility and a trust to serve the citizen and society, governed and directed by religious, patriotic and national values keen to provide standards, rules and ethical principles that govern the ethics of public office". And for dressing up the language of good cod and organizing clothes (The Intermediate Lexicon, 2011).

And dressing up public employee is his outward appearance in what he wears and reflects the psychology of the employee, and may reflect the nature of the employee and the work he does. Accordingly, it may be stated expressly in general job duties and may be imposed by the nature of the job, even if it is not stated as a duty on the employee, but it can be considered among the behaviors and morals that the employee must adhere to. In the sense that the employee's respect for his dress and his good selection reflects a functional behavior and a moral duty that gives the management the right to hold him disciplinarily accountable, the case of his clothes, which constitutes a violation of his job prestige and position, especially when the job, as we see it, has an impact and may set an example for others to follow their guidance.

Including that the Armed Forces Officer Service Law defined the job behavior and professional ethics of the salaries of the Jordanian Civil Defense (Issued under the Jordanian Civil Defense Law No. 18, 1999) and in Article 18 it stipulated under the title: "Commitment to the external appearance" of civil defense salaries is the mirror that reflects the image of the apparatus and the aspirations of others to them. Therefore, salaries are keen to pay attention to good manners, for dressing up, appearing in a decent appearance, and adhering to the clothes (uniforms) issued by the general directorates."

It also stipulates that Article (1) of the Uniform Instructions and Correspondence with Employees in Chapter One General Policies: "The Saudi Human Resources Portal in the first chapter titled Uniform: The facility shall adopt the following policies within the scope of the uniform: .../ 2. The appearance of the employee is an honorable image of the prestige of the facility he represents, and the employee's uniform reflects this image in a positive or negative way.

For dressing up the general, whether it is uniform for all employees in a job, or it is sufficient to adhere to a decent appearance, even if it is not uniform. It is intended to meet some conditions, including:

The clothes should be appropriate; the clothes should be suitable for the general function in form, cleanliness and prestige. This is what the head of the Jordanian Bar Association indicated in the Bar's decision of the 19th session on 09/14/2015 activating Article 59 of the Bar's Law by saying that the Bar's decision aims to impart the prestige of the court and respect for the profession and the place in which work takes place, which is the courts. The work of the lawyer is also an important work, as it aims to achieve the right and achieve justice, and this work must have prestige. It is inappropriate for the lawyer to come up with a quantitative text to achieve the right.

The clothes should be in compliance with the general custom upon which the Muslim community is based in terms of covering and modesty. This is also what was announced by the President of the Bar, for example within the previous decision, by saying: "A lawyer must be

known for others as soon as any citizen enters the court without needing to identify himself.” ". It is not acceptable to see a lawyer with “half sleeves” and bright colors inside the court, and it is inappropriate to have female lawyers wearing short skirts, who sit down and start pulling them, so why wear short skirts in the first place as long as this clothes is not appropriate for a lawyer (Roya News, 2015).

We see that the criterion of decency and cover-up is a broad criterion that is difficult to control, and it varies according to the time, place, job itself, and whether it is in direct contact with the public or otherwise. We also add whether this criterion has an impact on the personality of the recipient of the service from the employee, as well as the value of the job and the facility to which it belongs and its impact on the local community, the public image and the prestige of the state, as the first impression of the employee and the job is formed through his clothes and general grooming.

## **The Second Requirement**

### **Lawful Basis for Clothes of Public Employee**

The dressing up public employee attracts various legislative texts, some of which explicitly talk about for dressing up as a duty on the employee. Others only refer to vocabulary that may be interpreted as including this duty, and we find for dressing up in the custom among people or in the administrative custom for professions.

The Jordanian legislator stipulated the duties of the public employee in Chapter Ten of the Civil Service System No. 9 of 2020 under the title Rules of Employment Conduct. Legislation also focused on regulating public liberties, including personal freedom and freedom of expression and opinion. Legislation strengthened the status of religion and its reflection on freedom of clothes and appearance.

### **Section One: Freedom of Clothes in General Legislation**

Many public legislations dealt with the freedom of the public employee in what he wears, whether during official working hours or outside, and during official and private holidays. The most prominent of these legislations are:

#### **First: The Constitution**

The Jordanian legislator dedicates an entire chapter to the rights and freedoms of Jordanians in Chapter Two of the Constitution (The Jordanian Constitution, 2011), and freedom of clothing is one of the personal freedoms stipulated in Article 7/A: “Personal freedom is inviolable, meaning every attack on the public rights and freedoms of Jordanians is a crime punishable by law.”

We also find a singularity of the necessity of observing the general for dressing up through the regulation of the state, the freedom to perform the main rituals in accordance with the customs observed in the Kingdom, unless they are contrary to public order or contrary to morals (, the Jordanian Constitution, 1952).

We find in this legislative elevation an emphasis on the freedom of clothing for all, including public officials, provided that they take into account what is imposed by heavenly laws and what is consistent with customs, traditions, morals and public order.

#### **Second: Ordinary Laws**

Many laws included clear considerations that the public employee and its employees must adhere to a decent appearance that reflects the prestige and position of the job, and some of them even required adherence to uniform clothes for all its affiliates, and from this we find the Officer Service Law in the Jordanian Armed Forces, where the law indicated that officers should be a supreme example to maintain Discipline, military ties, good behavior and dress up (the Officer Service Law in the Jordanian Armed Forces, 1966). The personnel service law in the Jordanian armed forces stipulated that the individual should be a paradigm for discipline, military discipline, good behavior and for dressing up, and the personnel service law in the Jordanian armed forces, provided that the individual was a paradigm for discipline, military discipline, good behavior and dress up (Law of Personnel Service in the Jordanian Armed Forces, 1972).

### **Third: In the System**

The Jordanian Civil Service System for the year 2020 and the previous job regulations constitute the general Sharia for employees in Jordan. The general rule in the event that the text in any other functional legislation is silent on a matter. The job section is a basis for the public employee's undertaking before he is associated with the job to carry out his duties and respect the requirements and requirements of his job and prestige, including respect for dressing up and clothing that reflects the dignity and prestige of the job. The clothes should be modest, observing morals, public order, and public morals, which resulted in the issuance of many relevant job codes of conduct explaining the duties of the public employee (Law of Personnel Service in the Jordanian Armed Forces, 2016).

Among the special regulations, for example, is the system of the Jordanian diplomatic corps, which emphasized the importance of the external appearance. As members of the diplomatic corps do not enjoy absolute freedom of clothing, they are obliged to wear the official clothes prescribed for the job at parties and official occasions, and they are even given a clothing allowance when they are appointed to missions for the first time (Hafeez, 1998).

### **Second Branch**

#### **Freedom of Clothing in Codes of Conduct and Special Regulations**

The job codes of conduct are mandatory rules for its employees to follow what is stated in the general legislation regulating the job. As we see it, it may be specific to each job because of the specificity of some jobs that differ from others and that.

### **Parliament**

And in the Parliamentary Code of Conduct for the House of Representatives, it was stipulated that: "It is obligatory to wear appropriate official or national clothes during sessions and meetings." This is evidence that the representatives of the people reflect the nature and status of their mission, not only this, but also the image of the state represented by the legislative authority.

### **Bar Association**

The bylaw of the Jordanian Bar Association shows what the general clothes of lawyers is stems mainly from Article 59 of the Bar Law. The bylaw affirmed that:

- 1) Lawyers must wear lawyers' uniforms when they appear before courts, except for magistrates' courts.

- 2) The bar's clothing is a blanket of black Eleca cloth according to the planned model from the Bar, a dome, a white tie, and the jacket so that it is dark.
- 3) Lawyers adorned with the garb of scholars are exempted from wearing the dome and the white tie” (Bylaws of the Regular Bar Association, 2020).

The decisions of the Bar on the obligation of lawyers to dress in proper dress, even under the aforementioned attire, were nothing but an affirmation of the prestige of the body reflected in the lawyer's clothes.

### **Judicial Code of Conduct**

The judge has his image and prestige linked to the prestige of his job, its position and position in the soul, and because it is related to the litigants' feeling of his seriousness and the seriousness of his work. It is the seriousness and prestige that he must demonstrate, especially in the courtroom and in the framework of his official work. Accordingly, the Code of Judicial Conduct came in Article 16: “The judge must be keen on the prestige of the court during the trial sessions, and be respectful, patient, good listening, respectful of himself and his character, reinforced by his behavior, appearance and logic People’s confidence in its integrity and the integrity of the judicial system” (Law of Independence of the Judiciary, 2014).

Rather, the legislator added by imposing censorship on the judge even in his private life because of the prestige and dignity of the nature of his job that reflects even his private life, and there is no evidence of that in Article 17 with the text: “The judge must confirm his behavior in his private life on his honesty and integrity and it reflects positively on respecting the judicial authority and that his clothes are appropriate to his scientific and social standing” (The Amending System for the Dress Code of Judges, 2017).

### **Faculty Members**

In the eyes of his students, the teacher is considered a role model and role model, but they are among the most influential people, positively or negatively. Not only in teaching, but in their behavior and morals, they are the educators of generations, and because of the greatness of their mission, which is not limited to carrying out the job duty in education, they have a clear impact on their students in different aspects of life, no different from that of the teacher in school or university education, and therefore it is the duty of the teacher And if there is no explicit text that obliges him to look good and dress up, then this is a basic duty imposed and required by the nature of the tasks he performs, as it affects not only mentally but psychologically his students who will make him an example to approach and follow his footsteps, and despite the absence of an explicit text about this, it formed an administrative custom. Like the explicit text. University faculty members are not bound by a uniform, but rather the university community agrees on a similar form for faculty members, although there are some exceptions, such as members of the faculties of sports and Sharia.

### **The Second Topic**

The authority of the management to determine the dress of the public employee and the responsibility of the employee towards it  
The administration, through its powers of maintaining public order, has the right to take organizational and individual administrative decisions through which it seeks to protect the elements of public order, including public morals.

The clothing, its decency and its decency intersect with the concept of public morals and what should be observed in custom and religion. We will look at the authority of the administration regarding this clothing the first requirement, while in the second requirement we will look at the responsibility of the public employee that is contrary to public appearance and dressing up.

## **The First Requirement**

### **Management's Power to Determine the Dressing up Public Employee**

The original in clothes among the personal freedoms is guaranteed by the constitution. The general rule is that the individual may wear whatever he wants as long as he agrees with morals, religion, customs and traditions; they do not have to restrict what they wear except for the above, except that the issue is otherwise for the public servant. There may be texts that impose on the public employee a certain dress, and his commitment to clothes may be based on custom or presidential directives and orders.

The employee's clothes standard is determined by what is not an obstacle to completing tasks and burdens. Including that the President of Cairo University had issued a decision on 29/9/2015 that female faculty members and the supporting bodies in all the university's faculties and institutes may not give lectures, theoretical and practical lessons, or attend laboratories or practical teaching while they are veiled, in order to communicate with students and perform the process well in education and in the public interest" (Saeed, 2015).

In explaining the decision, Dr. JaberNassar, the president of the university, says that his decision to ban Niqab clothes has nothing to do with Sharia, but is at the heart of the administration's competence in regulating the educational process. The court pointed out that the uniform that a faculty member is entitled to wear must fulfill university traditions and not be obscured from students and prevent him from seeing them, and that some faculty members withholding the Niqab during lectures does not achieve direct communication with students in accordance with the text of Article 96 of the Law The court confirmed that the university president's decision was not tainted by the abuse of power, and it did not appear to her that it was issued with the intention of revenge or for a personal interest, and the decision does not include a violation or prejudice to the faults of the faculty.

Where the court clarified that the ban on wearing the Niqab is not absolute, but rather it is a regulation of the process of wearing it by not being part of cases of communication with students and the absence of interactive stay in lectures and classrooms (Asaad, 2017).

There is a ruling issued by the Egyptian Supreme Administrative Court that supports the prohibition of teaching with the Niqab (An Electronic Newspaper Article on the Seventh Day, 2020). Dr. Mahmoud Alam El-Din, media advisor to Cairo University, confirmed the prohibition of teaching in the Niqab and not the banning of clothes at the university. The aim is to achieve direct communication with students. University President Muhammad Othman Al-Khosht confirmed that the principle is that the public employee has the freedom to choose the outfit he wears during his work, provided that the dress has appropriate respect for the dignity of the job, but this freedom may carry restrictions stipulated by laws, regulations, administrative decisions, administrative custom, or job traditions. A similar decision was also issued by Damascus University in 2010 stipulating: "It is forbidden to wear the Niqab, the socks, the Gallabiya and the sports clothes in universities" (Damascus University website, 2019). The reasoning for this was that the decision related to restricting the clothes of the student, especially since the Niqab may constitute an obstacle to knowing the person of the student and impersonating others.

Also, to give the reasoning of the former head of the Bar Association to oblige professors of lawyers to dress properly while they are in court, this means that it is not an absolute obligation.



In this, the administration uses its discretion to issue decisions related to the organization of work, but these decisions are of course conditioned not to affect personal freedom while the constitution guarantees it to individuals and to be in the process of performing the job or because of it.

Accordingly, the decision of the Egyptian Supreme Administrative Court in position No. 2761 of 29 BC dated 06/11/1987 is valid for the discretionary authority of the administration in organizing it when it went to the fact that: "The university abused the appellant, as he offered her to wear the university robe over the dress of priests when entering from the university. The university door, but it refused to do so, and none of them is allowed to impose on him the normal civilian dress, because this matter affects the personal freedom guaranteed by the constitution, but it is not permissible to infringe upon it except by law. Rank from the legislation, and when she did, she violated the constitution and her behavior was not lawful and not legally recognized (Judgment of the Egyptian Administrative, 1987).

And we see that this decision is measured against the state of the veil in the prohibition of clothes in the classroom and is not absolute, unless the university intended by its decision not to anger the public by wearing the priesthood and to protect public feelings.

As for Amnesty International and its position towards France and Belgium when they passed laws banning the Niqab and religious clothes, it expressed its position: "The imposition of such a general ban on wearing the Niqab constitutes a violation of women's right to freedom of expression and freedom of religion if it is accompanied by an expression of their identity or beliefs. Therefore, the organization urges states not to pass such laws and urges them to take a range of measures that guarantee all women the freedom to exercise their rights without coercion, harassment or discrimination (Ghanima, 2016)."

Accordingly, the permissible prohibition is what is in a supreme interest and does not conflict with religious freedom and freedom of belief.

We believe that referring to the reality of the situation in Turkey, the secular state, in which the veil has taken on a wide dimension and influence on the public level has reached the point of describing it as a "veil battle." That was when the secular campaign against the veil began under the leadership of Atatürk, when the Turkish National Assembly passed on 9/2/1925 a law prohibiting Turkish women from wearing the veil. The Turkish House of Representatives agreed on 4/10/1928 to amend the Basic Law by canceling all articles referring to Islam in order to conform that is with its orientation towards secularism (Ghanima, n.d).

Where Turkish women were prevented from wearing the veil in all walks of life, but this did not apply to non-Turkish women, which left the way for them to return to the veil, a stage of return that took several years and included the deprivation of female students from studying not only at the university level, but also at the school level. Those who wanted to study wearing the hijab would have to leave the country to realize the dream of studying. The matter was not limited to studying, but the Turkish parliament refused to enter the Turkish parliament, the winner of the elections, while she was wearing her hijab, and demanded that she take it off if she wanted to defiance of secular laws and her entry into Parliament wearing the hijab (Kavutci, n.d). Veiled female journalists were prevented from entering any institution affiliated with the Turkish army or official institutions, and many of them were dismissed and forced to resign because of the headscarf.

In fact, the wife of the Prime Minister, if she was veiled, was not allowed to enter the presidential palace, and the military institution had to separate from the army every officer or soldier whose wife adhered to the veil. And prohibiting the appointment of veiled female lawyers and considering the veil as a crime punishable by law. Until the Justice and Development Party succeeded in the elections and Ragab Tayyip Erdogan announced the right of Muslim women to wear the veil as it stems from personal freedom and freedom of belief, until you make constitutional amendments to abolish the law banning the wearing of the veil (Ghanima, n.d).

## The Second Requirement

### Responsibility of the Public Employee for Infringement of Proper Appearance

The public employee is committed to his job with several duties, the violation of which entails his disciplinary responsibility, as this responsibility is intended to preserve the job and the facility that the public employee reflects. The disciplinary responsibility of the public employee is based on an administrative rule that is reflected in the fact that there is no penalty except by a text, which means that the adaptation of the facts that constitute a disciplinary offense is subject to the discretionary authority of the administration, in what may be adapted to a violation or not? It is a matter that varies from one job to another and from one time and place to another.

And the disciplinary violation is: "acts that violate the duty of the job, positively or negatively, and some call them disciplinary offenses and sometimes disciplinary dangers" (Kanaan, n.d), which is every act or omission committed by the worker that is incompatible with the duties of his position (Al-Tamawi, 1983).

The Jordanian Civil Service Law, in Article 141 in Chapter Sixteen of it, states what is related to disciplinary violations and their procedures, and states: "If the employee commits a violation of the laws, regulations, instructions and decisions in force in the civil service or their application, or performs an act or behavior that violates his responsibilities and the powers entrusted to him or the perpetrators, or offending the ethics of the job and the duties and behavior of the employee...".

This means that what is related to a violation of an explicit text requires adherence to for dressing up and appropriate appearance, or if the for dressing up is general, which can be subject to the assessment of the disciplinary committee as a behavioral violation, the public employee could be held accountable for it.

Among this is what was stipulated in Paragraph 7/Article 1 of the instructions of the general policy of the Saudi uniform, which states: "The Human Resources Department and managers of organizational units are responsible for discovering violations of the uniform wearing of the relevant categories of employees, as well as taking the necessary measures" after it was confirmed in Paragraph 1 As: "All employees must adhere to the general policy adopted for uniforms within the facility."

Rather, it went even further in imposing its control over the clothes public employee even outside the official working hours, in paragraph 4 of the same article with its text: "All employees in the facility represent the facility in front of others. Therefore, the consistency of their appearance and good behavior during working hours or outside work affects the view of others to the facility and to the work environment in general.

We see in this text an explicit reference to considering that what contradicts its content constitutes a behavioral violation that requires punishment for the reputation of the firm and its standing in front of everyone for dressing up.

Among that, Al-Tamawi says (Administrative Judiciary, Judiciary of Cancellation, 1976) "As long as the legislator did not limit the prohibited actions to the employees, which constitute a disciplinary offense. Determining the actions is left to the discretion of the disciplinary authorities, whether they are presidential or judicial bodies."

Therefore, questioning the employee about his general dress and the extent of its impact on his job reputation and prestige, and considering it a behavioral violation, even if it is outside the official working hours. Rather, it is a matter that is subject to the discretionary authority of the administration. Although the authority of the administration is linked to the presence and absence of the job, the employee's duty to respect his job and its prestige may not be limited only to working

hours. This means that some jobs may impose their prestige and dominance on their representative employees, even in their private lives.

For example, we find in the history of the Jordanian state an official communication issued by the Prime Ministry in 1942 bearing the signature of the Deputy Prime Minister at the time (Samir Al-Rifai) stamped with the Emirate of Transjordan/the Prime Ministry/official communication No. 32 of 1942 Ro-10/21, which reads: “You The foundations of employment in government jobs are that the employee is respectful of his morals, behavior and appearance among people. One of the most important manifestations of decency and dignity is that a person in his dress does not deviate from the established traditions and customs, and that he does not deviate from the norm in terms of clothes and appearance. Recently, it has been observed that some employees He has tended to walk in the public streets with his head uncovered, and that some have a clear tendency to depart from Arab customs and traditions and violate the rules of decency and respect that the employee should be keen on acquiring. Therefore, I thought that I beg you to warn all the employees of the departments affiliated with your specialization to the necessity of adhering to the rules of decency and the requirements of dignity in terms of dress, appearance and clothing in which they must appear in front of people, and that losing the head is one of the most important violations of these rules in relation to our Eastern and Arab traditions. And let it be known to everyone that this matter, to which His Royal Highness the Emir of the country directs the utmost care and attention, deserves the government to look at it with a lack of tact that an employee will continue to violate it in the future.

And we see how the higher administration in the state considered that mere uncovering the head and not covering it constitutes a disciplinary violation for its violation of the observed customs and traditions as a source and basis for criminalization not only within the framework of the job alone but also outside the times and limits of the job, and with the change of time we see a change in the general concept of for dressing up and its exit or agreement With customs, values and traditions to oblige the employee, for example, not to cover the head in the Jordanian civil status picture.

For example, we find the text of the seventh article of the instructions for clothing for workers and backpackers at Yarmouk University (Instructions for the Clothing of Workers and Mobiles at Yarmouk University, 1985) which states that non-compliance with the clothes prescribed in the instructions is a disciplinary violation, as it reads: “The worker in the university to whom the clothes are distributed must wear them when performing his job duties or the activity required of him. If he fails to wear it, he shall be considered as having committed a behavioral violation, and the procedures and penalties stipulated in the administrative and technical staff system in force at the university shall be applied against him, and Article 8: “Wanderers and reception committees who must wear the clothes prescribed for them on the occasions and times specified by the Deanship of Student Affairs for them. And whoever fails to wear it shall be punished according to the provisions of the activities, aids and disciplinary measures for students in force at the university.”

And we see in another concept of reading the text that wearing these clothes other than the times and occasions specified for them is considered a punishable crime, and the text of Article 10 of the same instructions is not evidenced by this if: “Deliberately destroys one of the clothes given to him or causes negligence and lack of caution in losing it, wearing it or donating it.” To a third party or sell it, he will be fined for its value, calculated on the basis of the purchase price.

It can be used as reference to the call for a strict law that prevents torn clothes, especially torn jeans, in educational institutions in particular, and from this the administration of the “La Sami Institute” in the French city of Valenciennes prevented students from arriving at the campus in torn clothes and forced them to return to their homes and change their clothes in a manner befitting the educational institution, and even imposed a council city in the US state of Florida has a high fine of

up to \$500 for those who wear jeans that reveal a distance of more than five centimeters below the waist. And North Korea banned the wearing of blue jeans on its citizens - including employees - because it refers to the colonization of North Korea (Al-Alukah, 2018).

Also, clothes public employee may constitute a criminal offense if it is exploited for a purpose other than its intended purpose, including the text of Article 201/A of the Jordanian Penal Code, as well as Article 156 of the Egyptian Penal Code.

Among the realistic applications of obligating the public employee and his proper grooming is that the Governor of Egyptian Buildings, Major General “Mohammed Naim” deducted ten days from the salary of a school teacher for wearing slippers inside the school during the official working hours.(Youm7 Newspaper, 2019).

And we affirm the authority of the administrative judiciary in controlling proportionality to prevent the behavioral violation represented by violating the duty of the general requirement, whatever the source of this duty and the penalty that the administration assesses for the employee.

This and we stress that it must be pointed out that the appearance and for dressing up in some cases, in the event of commitment to it by some employees, may be the cause of the disciplinary violation on him due to the nature of the work he is doing. For example, it is not reasonable for a mechanical employee to wear in a public utility

An elegant outfit, because here he is subject to disciplinary punishment against him, in line with the peculiarity of the administrative law.

## CONCLUSION

The study dealt with a very important topic because of its impact on the public job, which is the dressing up public employee and his clothes. The study concluded with some results and recommendations, most notably:

### **First: The Results**

- 1) The dressing up public employee reflects the prestige, position and image of the job in which he works in front of those dealing with the facility, which means that the state has the power to determine the images of clothes and determine what clothes are appropriate and appropriate for the job.
- 2) There are many criteria and lawfulbases from which the administration defines clothes public employee, through which we can adapt the violation of the public employee to this concept as a behavioral violation punishable by the public employee.
- 3) The association of appropriate clothes with the public job, which is reflected in the dressing up public employee, gives management the right to pursue the employee in his clothes even outside official working hours.
- 4) The veil as a clothing based on freedom of religion and benefiting from its personal freedom is an area of wide dispute over who wears it, especially in the higher education sector.

### **Second: Recommendations**

- 1) We call on the legislator to explicitly stipulate the observance of appropriate clothes for the public employee, provided that each establishment describes the appropriate clothes in its instructions and publishes them on the establishment’s bulletin board.
- 2) Determining what jobs require the employee to wear decent clothes outside official working hours.
- 3) Invite the legislator to prevent the administration from banning clothes that are allowed within the limits of job, customs and traditions.

## ENDNOTES

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