

The impact of Covid-19 pandemic on crime in Jordan and the extent to which the provisions of the Penal Code are applied in light of the declaration of a state of emergency and the Jordanian Defense Law: A Comparative study

Monther Abed-Alrazzaq Musleh Al-Amaireh

DOI: <https://doi.org/10.37178/ca-c.21.5.110>

Monther Abed-Alrazzaq Musleh Al-Amaireh

Assistant Professor of Criminal Law / Middle East University

Abstract:

This study aims to shed light on a new and important topic, which is to study the impact of Covid-19 pandemic on crime by reading its repercussions on a different group of crimes represented in forgery, fraud, electronic crimes, domestic violence, terrorist and extremist organizations, and the extent to which the provisions of the Penal Code are applied with announcing a case Emergency and Defense Law. This study also deals with a comparative analysis of the impact of the Corona virus on crime rates in Jordan, by comparing crime rates in previous years for the year 2020 with the emergence of this epidemic and comparing them with each of the United States of America and Egypt. The research stems from the premise that despite the challenges of the Corona pandemic crisis with its health, economic, social and political consequences, it highlighted opportunities to exploit these criminal organizations. The curfew also contributed to reducing the rates of some crimes. Therefore, this had to be studied, especially with the application of the emergency law and the temporary release of a number of prisoners due to the Corona pandemic.

The study relied on the descriptive analytical method by referring to many sources and primary and main data for the various crimes under study to read and analyze their interpretations of the crisis, as well as to monitor and study their reactions to it on the ground. The study concluded with a number of results and recommendations, the most important of which is the climate of crises in general and the crisis of the Corona virus in particular, which constitutes a focus for corrupt and criminals to invest this despite their different opinions and intellectual antagonism with the aim of material and moral gain, by exploiting and highlighting the crisis within societies and Exploiting the voids resulting from the inability of the authority to fill them, or the lack of desire on the part of some countries to rise and fill the void.

Keywords: Corona virus, domestic violence, organized crime, epidemic, criminal organizations.

Introduction:

The Corona virus pandemic has affected the crime rate represented by the crime of terrorism and street crimes such as thefts, looting and robbery, and electronic crimes such as Internet crimes, black markets, smuggling crimes, human trafficking and smuggling globally, as the home quarantine imposed by countries of the world as a precautionary measure against the Corona pandemic is assumed that it has reduced traditional crimes due to the presence of security pillars on the roads, which has greatly reduced theft crimes, especially car theft. It was also stated through what the "Global Initiative to Combat Transnational Organized Crime" stated in March 2020 in the Policy

Brief that it is difficult to determine the long-term impact in the early stage of the epidemic. But it is clear that the epidemic has caused a decrease in the crime rate globally while creating an opportunity to change the activity of criminal organizations, which will be in the long term. The report indicated that some criminal organizations have taken advantage of the disruption caused by the epidemic by increasing their activities and that there is the possibility of "criminal groups emerging as suppliers and "partners" of the state in maintaining order." But there are still no official statistics on crime rates during periods of closure or ban in Jordan and the Middle East. It can be said that the change in the rate of committing crimes in the post-Coronavirus era and the precautionary measures to confront it do not represent a Middle Eastern phenomenon, but rather a global one.

Research problem:

The problem of the study lies in explaining the impact of the Corona pandemic and the resulting ban, in addition to the decision to release a large number of prisoners in increasing or decreasing crime rates by studying a number of crimes, including organized crime, cybercrime and traditional crimes, as there are obstacles in the direction of crime. It does not mean its complete demise, and that individuals in criminal organizations also develop their thinking and capabilities to continue carrying out their criminal activity even during the times of crises, epidemics or disasters, even if those gangs focus on "dead times" - as the security men call them - which start from eight in the morning until eleven in the afternoon to implement its plans.

Research Methodology:

The researcher used the comparative analytical method by highlighting the impact of the Corona pandemic and the defense orders represented in the full lockdown imposed for a number of days, then the partial lockdown for several days and its role in increasing or decreasing crime.

Study questions:

The main question of this study is: What is the impact of the Corona pandemic on crime?

It is subdivided as follows:

What is the concept of crime?

What crimes have decreased during the Corona pandemic?

What crimes have increased during the Corona pandemic?

What is organized crime?

Research Plan:

To answer these questions, this research was divided into two main topics:

Introductory topic: The concept of the Corona pandemic.

The first topic: crimes that increased during the Corona pandemic.

The first section: traditional crimes that have increased during the Corona pandemic.

The second section: Organized crimes that have increased during the Corona pandemic.

The second topic: crimes that decreased during the Corona pandemic.

The first section: traditional crimes that have decreased under the Corona pandemic.

The second section: Organized crimes that have decreased during the Corona pandemic.

Introductory topic: The concept of the Corona pandemic:

The world was exposed to an unprecedented event, which is the spread of a global epidemic known as the Corona virus. Most countries of the world have taken

precautions and measures to prevent the spread of the Corona epidemic, including Jordan, with the aim of preventing the epidemic from reaching its lands. Therefore, the Jordanian government has taken several measures, including a curfew, declaring a state of emergency, implementing the Defense Law, and closing all sectors except the medical sector and some vital sectors that are difficult to close.

Definition of Corona Pandemic:

The pandemic is defined linguistically as the general epidemic and means the epidemic that spreads among humans in a large area such as a continent, for example, or may expand to include all parts of the world^[1]. As for the Corona pandemic, it has been known to be a wide strain of viruses that may cause disease in animals and humans. It causes a number of respiratory diseases ranging in severity from the common cold to more severe diseases such as Middle East Respiratory Syndrome (MERS) and Severe Acute Respiratory Syndrome (SARS). The newly discovered corona virus causes Covid-19 disease, an infectious disease caused by the last discovered virus of the Corona virus strain.

The Corona pandemic began to appear on December 30, 2019 in Wuhan, Republic of China. The credit for the discovery of the Corona virus is attributed to a Chinese ophthalmologist at Wuhan Central Hospital, and the matter was ambiguous at first, as it was believed that the SARS virus would return, but the acceleration of events and the spread of the disease and its rapid spread led the Chinese authorities to carry out further study and a study was carried out. Finding the genetic makeup of the virus. On January 22, 2020^[2] the Chinese authorities informed the World Health Organization of the presence of the virus, which was called the Corona virus³. On March 16, 2020, a joint statement was issued by the International Chamber of Commerce and the World Health Organization calling on the private sector in the countries of the world to take measures to address the Corona virus pandemic. Jordan declared a state of emergency, implemented the defense law, and announced a comprehensive lockdown in the country.

Second: The most important decisions issued in Jordan due to the Corona pandemic:

Jordan decided to take some measures to confront the Corona virus, including a comprehensive lockdown and the release of a number of prisoners. And the Jordanian State Security Court issued a decision to release a number of detainees, in line with the government's decisions to confront the spread of the Corona virus. The reason for this decision is that it came in view of the health conditions that the Kingdom is going through and in line with government decisions taken to confront the Corona virus.

First Section:

Crimes that have increased during the Corona pandemic:

By crime we refer to every act or committing a sin that contradicts the values and morals prevailing in society. It is also every act or omission that results from a conscious will that violates the security, interests and rights of individuals in society, and the perpetrator of the crime is punished with a penalty or a precautionary measure. And the crime is legal if it violates the rules of law⁴. It is noteworthy that the Jordanian legislator did not set a definition of the crime in the Penal Code No. 16 of 1960 and its amendments, but it left the definition to jurisprudence and the judiciary. Accordingly, we can define the crime as every act or omission of a distinguished person that represents a violation of the law and is punishable by a penal penalty or a precautionary measure.

Through the foregoing, the elements of the crime can be extracted as: the criminal act, and its issuance from a human will, and its association with a legal penalty, that is, it is known as the material element, the moral element, and the legal element of the crime.

As for the types of crimes, there are many criteria for dividing crimes, including: dividing crimes according to the severity of the punishment assigned to them, according to the material element, and according to the moral element. The commission of the crime is due to many reasons, including: The absence or weakness of religious belief: where religious laws and prohibitions that prohibit crimes are a strong deterrent represented by individuals[3]. Weak moral determination: Moral determination is an important pillar of social reform. Therefore, all educational institutions must exercise their role in instilling values and morals in children to prevent the spread of criminal behavior. Corrupt environment: a person is affected by those around him, whether they are good or corrupt. Unemployment and difficult economic conditions:

Many young people commit crimes to obtain money illegally because of their need. Abuse of intoxicants and drugs and the circulation of forms of crime and terrorism: 70% of murders are due to individual drug abuse, according to a study conducted by the Tunisian Association of Criminology. An American study published in the Journal of Behavior and Criminal Justice indicated that 93% of criminals had a history of drug addiction. The impact of disasters, including wars and epidemics, is one of the causes leading to crime and the resulting negative effects, as happened recently with the spread of the Corona epidemic, which has had a significant and negative impact on societies and countries, including unemployment, layoffs of large numbers of workers, and the stopping of a large number of commercial activities.

And the law stipulates that there is no crime without a text and does not prescribe any penalty or measure not provided for by the law when the crime was committed. The crime is considered complete if the actions are carried out without regard to the time of its commission. The crime is affected by the surrounding circumstances. The Corona pandemic also, as people are isolated in their homes due to the curfew imposed in most countries of the world and the closure of borders, limited and mitigated certain types of crimes such as unorganized (traditional) crimes and increased another type of crime such as domestic violence and cybercrime, where criminals found it difficult to earn money from their traditional activities such as smuggling, assaults, theft, etc., and crime rates were affected globally.

This forced criminals to resort to new criminal activities to take advantage of the crisis, which led to a rise in crime rates again, but in different forms this time, and here the following question arises: How did the Corona pandemic increase the rates of permissibility in some crimes?

In order to answer the above question, this topic was divided into two sections; traditional crimes that increased during the Corona pandemic, and the organized crimes that increased during the Corona pandemic.

First section: Traditional crimes that increased during the Corona pandemic

Global studies on the crime rate indicated that there are many traditional crimes that have increased during the Corona pandemic, such as domestic violence, fraud and rumor-mongering, the aim of which was to intimidate and terrify people.

First: Domestic violence:

Article 347 of the Penal Code states:

1. Whoever enters another dwelling or dwelling annexes against the will of that other, as well as whoever stays in the aforementioned places contrary to the will of the one who has the right to exclude him from it, shall be punished by imprisonment for a period not exceeding six months.

2. A sentence of imprisonment from three months to a year if the act occurred at night, and imprisonment from six months to two years if the act was committed by violence against persons, by breaking them, by using a weapon, or by several persons collectively.

3. The prosecution shall not take place in the case stipulated in the first paragraph, except upon the complaint of the other party.

As stipulated in Article 445 of the Penal Code, “Anyone who, by his choice, has the right to damage the movable property of others, shall be punished, based on the victim’s complaint, with imprisonment for a period not exceeding one year or a fine not exceeding fifty dinars, or with both penalties.”

Article 354 of the Penal Code stipulates that (every other threat to inflict undue harm, if it occurs verbally or by one of the means mentioned in Article 73, and it would severely affect the victim’s self, shall be punished, based on the complaint, with imprisonment up to one week or a fine of no exceeding five dinars).

Article 155 of the Penal Code stipulates that: (1) Firearms and any cutting, or piercing tool or machine and every tool dangerous to public safety are considered a weapon for the purpose of applying the previous article.

Article 156 of the Penal Code stipulates that (a penalty of imprisonment for a period not exceeding six months and a fine of up to ten dinars shall be imposed on anyone who carries a prohibited weapon outside his home, one of the weapons indicated in the previous article).

With restrictions imposed due to curfews on the movement of people in addition to social and economic pressures, crimes of domestic violence have increased in most countries. In Jordan, an opinion poll conducted by the Center for Strategic Studies at the University of Jordan last April revealed that the curfew led to quarrels, disagreements or violence within the family for more than a third of Jordanians, at 34 percent, and the most prominent form of it was verbal violence with 17 percent, followed by psychological violence with 9 percent, then neglect by 6 percent. Cases of violence occurred between (1-3) in 75% of them, and 19 percent of them reflected cases of violence, disputes or quarrels occurred more than 6 times during the curfew period. It is noteworthy that the main parties in these disputes were the husband and wife (34%), the father and one of the male brothers (13%), brothers and sisters (11%), and male brothers among each other (10%). [4] In the United States, the United Nations report indicates a significant increase in complaints of domestic violence and protection requests, during the closure period. [5] Despite this recorded increase in domestic violence cases during the COVID-19 pandemic, the real number of violence remains much higher. And women often pay the highest price in crises, which sometimes reach the risk of death if they get affected by corona virus, because some families see that a woman’s quarantine is a shame, as happened in Iraq. This prompted United Nations Secretary-General Antonio Guterres to launch a global appeal to protect women in homes from domestic violence during the quarantine period caused by the Corona outbreak.

Second: Fraud

Article (417) of the Penal Code states that fraud is:

1. Whoever compels a third party to hand over movable or immovable property, or documents that include a pledge or discharge, and he deceives them fraudulently.

a. By using fraudulent methods that may deceive the victim of the existence of a false project, accident, or matter that has no truth, or creating hope for the victim that an imaginary profit will be obtained, or to pay the amount taken fraudulently, or deluding the existence of an incorrect debt bond or a forged clearance document.

b. By disposing of movable or immovable property knowing that he has no capacity to dispose of it.

c. Using a false name or an incorrect job title.

He is to be punished with imprisonment from six months to three years and a fine of two hundred dinars to five hundred dinars.

2. a. If the act is committed under the pretext of securing a job or work in a public administration, he shall be punished with imprisonment for a period of no less than two years.

b. He shall be punished by imprisonment for a period of no less than three years if the perpetrator of the crime is one of those who issue shares, bonds, or any other securities related to a company, project, or commercial or industrial establishment.

3. The court shall rule that the penalty be doubled if there are more than one victim, or if the victim uses the physical, psychological or mental disability of the victim to commit any of the misdemeanors stipulated in this article.

4. The same punishment shall be applied to the attempt to commit any of the misdemeanors stipulated in this article.

Accordingly, we find that many fraud crimes have spread under the Corona pandemic. Legal enforcement authorities seized 34,000 counterfeit medical surgical masks as part of Pangea Operation [6] with the support of INTERPOL and Europol at the beginning of March 2020. Indian police confiscated thousands of counterfeit N95 masks, raided stores selling counterfeit masks, sterilizers and disinfectants and initiated a lawsuit against hoarders of personal protection equipment[7] In the United States, people have been arrested after impersonating doctors and asking people for paying treatment costs.

An extensive operation called "The Looted Promise" was carried out with the participation of US Customs and Border Protection, the Food and Drug Administration, the US Postal Inspection Service, the US Secret Service, the Internal Revenue Service, the Federal Bureau of Investigation, the Five Eyes Law Enforcement Task Force, and an international intelligence coalition between Australia, Canada and New Zealand the United Kingdom and the United States. The operation investigated and confiscated shipments of mislabelled, fraudulent, unauthorized or prohibited COVID-19 items. [8, 9]

Third: Promoting and spreading rumors:

Paragraph 2 of Article 2 of Defense Order No. 8 issued on April 15 under the state of emergency of the Jordanian Defense Law states that "publishing, re-publishing or circulating any news about the epidemic that would intimidate people or cause panic among them through the media, communication, or other means of communication or social media. The penalties are up to three years in prison and a fine of 3,000 Jordanian dinars, or both".

It is noteworthy that the International Covenant on Civil and Political Rights for countries "allows countries in exceptional emergency situations that threaten the life of the nation" to adopt exceptional and temporary restrictions on some rights that cannot be allowed to be adopted in other circumstances. However, these measures must be taken "to the extent strictly required by the situation."

The law states that spreading and transmitting fabricated news with the intent of causing panic is an offense contrary to the provisions of Article 75/A of the Communications Law ((Anyone who sends, by any means of communications, threatening, insulting or immoral messages or transmits a fabricated news with the intention of provoking Panic is punishable by imprisonment for a period of not less than one month and not exceeding one year, or by a fine of not less than (300) dinars and not more than (2000) dinars, or both penalties."

Article 348 of the same law states:

"Anyone who violates the private life of others by eavesdropping or sight by any means, including audio recording, taking pictures or using binoculars, shall be punished upon the complaint of the victim by imprisonment for a period of no less than six months and a fine of two hundred dinars, and the penalty shall be doubled in case of repetition."

Accordingly, many rumors have spread in Jordan about the Corona virus and its repercussions, especially on social media. And these means were used during the crisis to spread fabricated news and rumors and to seek to spread fear and panic in the minds of people who were put in a state of anxiety by the crisis, prompting them to cling to any information that might be fundamentally incorrect. Since the beginning of

the crisis, with the spread of the virus in China late last year and then its transmission to other countries, it has been clear on many social media platforms that there is something like a state of mass panic and panic promoted by a large segment of the users of those platforms. In Jordan, the Electronic Crimes Unit warned against the circulation and dissemination of rumors and inaccurate news about the corona disease, calling people to get information from reliable official sources.^[10] In application of this, the Penal Magistrate Court stated that: "With regard to the offense of violating the private life of others, contrary to the provisions of Article 348, the court finds that the action of the defendant represented in filming the workers performing the sterilization process without their consent and the violation of the sanctity of private life constitutes all the pillars and elements of the offense assigned to him with regard to the offense of rumor and transmission of fabricated news with the intent of causing panic in contravention of the provisions of Article 75/A of the Communications Law: The act of the defendant by sending a video to several people via Whatsapp includes causing panic to them with the presence of Corona virus sick cases. It constitutes all the pillars and elements the crimes^[11].

It is mentioned that the April 15, 2020 decree penalizes the circulation of any "panic" news about the pandemic in the media or on the Internet with a penalty of up to three years' imprisonment, since the declaration of a state of emergency in Jordan on March 17. It is reported that two media professionals, journalists and a former parliamentarian, as well as three people were detained for allegedly circulating "false news". In Egypt, the Egyptian Public Prosecution announced strict penalties against those who spread rumors about Corona. The Public Prosecution said that managing or using private websites or accounts on the information network to circulate and promote false news, data and rumors entails a penalty of imprisonment of no less than two years, and a fine of no less than one hundred thousand pounds and not more than three hundred thousand pounds.^[12]

Increase of Violations:

On March 20, Jordan imposed a mandatory curfew from 6 p.m. until 10 a.m., with exceptions for those holding valid permits, from March 17 to April 14. Accordingly, 10,874 people were arrested for violating the curfew. Those who violated the curfew were subject to a fine ranging from 100 Jordanian dinars to 500 dinars. The seized vehicles were confiscated for a period of 30 days in addition to a fine.

It is mentioned that Paragraph (C) of Article 4 of the Defense Law states that crimes that are committed in violation of defense regulations are punishable by the penalties stipulated therein or by a lesser penalty as stipulated in the regulations in question. These penalties are determined according to the court that is looking into the case, so that the same act has a different penalty if the perpetrator is referred to a court of first instance, a magistrate's court, or a court of summary jurisdiction. The Court of Cassation has stated in this regard that the act punishable under Defense Order No. 8/81, Clause Ten, stipulates that violating the order requires the application of the penalty stipulated in Article 4 of the Defense Law. We find that the court has erred in saying that the act is punishable under Article 25 of the Supply System No. 24/74 on the basis that the food supply is defined by the second article of the system referred to as follows: "Supply materials are all foodstuffs of all kinds and derivatives, and any other materials that the Minister decides as a food item and is announced in the Official Gazette". From this definition, it is clear that cement is not considered a food item, and the application of Regulation No. 24/74 is a misplaced application, which necessitates overturning the ruling for this reason. With regard to the second basis, we find that the court did not, by its ruling, indicate that the penalty prescribed in Article 4 of the Defense Law is imprisonment for less than one year, although Paragraph C of Article 4 of the Defense Law stipulates that crimes that are committed in contravention of defense regulations are punishable by the following penalties or a lesser penalty. These penalties are determined according to the court looking into the

case, so that the same act has a different penalty if the perpetrator is referred to a court of first instance, a magistrate's court, or a court of summary jurisdiction.^[13]

Second section: Organized crimes increased during the Corona pandemic:

These crimes are organized by categories of a group of highly centralized enterprises and companies. These groups are either local or international cross-border. They are run by criminals, criminal organizations and terrorist groups who are engaged in illegal activities mainly aimed at collecting money and profits or for political motives. Sometimes these organizations force people to carry out commercial activities with them, for example, for a gang to collect money from shop owners, and this is called royalties in exchange for protecting them." ^[14] These gangs become disciplined criminal organizations and are referred to as mafias or criminal outposts. The circle or community of criminals is also called the underworld. In the United States, the Organized Crime Act (1970) defines organized crime as a set of illegal practices and activities that arise from organized criminal organizations. ^[15] The law considers extortion operations as an organized process. In the UK, police estimate that organized crime involves up to 38,000 people working in 6,000 different groups^[16]. Jordan is a country free from organized crime. Organized crime in Egypt is represented by smuggling Egyptian children from rural areas to other areas in Egypt to work as maids or laborers in the field of agriculture. It is also represented by drug smuggling, as Egypt is a country of hashish, heroin and opium destined for Europe, Israel and North Africa.

A. Electronic crimes:

The transition in the intensity of crime from the real world to the virtual world was accompanied by an increase in cyber-attacks related to Corona, which targeted entities and individuals working in the health field and pharmaceutical companies with the aim of obtaining information about the virus, the drugs that treat it, or potential vaccines to eliminate it. Then these thieves can sell this information to the countries and major companies that are racing among themselves to get this vaccine. In this regard, the World Health Organization indicated an increase in fraud using its name via e-mail, in addition to its exposure to many electronic attacks in March, taking advantage of the organization's preoccupation with fighting the emerging Corona virus, and the attacks targeted theft of passwords related to the organization's employees. Recently, INTERPOL conducted Operation Pangea 12, which involved making 121 arrests worldwide against the illegal sales of medicines and medical products over the Internet, which amounted to more than 14 million dollars. Police and customs agencies in 90 countries participated in this operation. Interpol also said in a statement, "About 30 cases of fraud related to the Corona virus were worked out in Asia and Europe, which resulted in the ban of 18 bank accounts and the freezing of more than 730,000 US dollars in suspected fraudulent transactions."^[17]

B. Cyber security threats:^[18]

With the ongoing coronavirus pandemic and its severe negative impact on the health, economic, political and social systems, another invisible threat is emerging in the digital space. It is the threat of cyberattacks that threaten the digital tools needed to obtain information, access government and financial services, education, and do business. This means that strong cybersecurity measures are more important than ever. There are three reasons to focus on cybersecurity:

1. Increasing reliance on digital infrastructure:

During the Corona pandemic, the reliance on digital means of communication has doubled, and the Internet has become almost the most effective means of communication for communication, work and support. On the other hand, companies and government institutions have increased their demand for remote work policies, and a large share of social transactions have shifted to video calls, social media platforms and instant messaging programs. Many governments are also disseminating information about the Corona pandemic through digital means. For example, the United Kingdom has made digital technology the primary mode of communication and

invites its citizens to follow official websites for updates and avoid pressure on information services over the phone. In this context, the cost of failing to protect cyber security increases. Cyber-attacks that prevent organizations or households from accessing their devices, data, or internet connectivity can have a devastating effect. In the worst case, large-scale cyberattacks can cause major disruptions to basic infrastructure, cutting off entire communities from communication, disrupting the work of health care providers and public systems and networks. This actually happened when a cyber-attack targeted the website (Worldometers.info), which publishes coronavirus statistics, and the website of the US Department of Health and Human Services last March, with the aim of disrupting operations and the flow of information.

2. Cybercrime takes advantage fear and suspicion:

Hackers and cybercriminals take advantage of human weakness to penetrate the defenses of electronic systems. In the case of crises, especially if they are prolonged, people tend to make mistakes that they do not commit in normal circumstances due to the predominance of fears and the absence of confirmed information about the outcome of the crisis, just as it happens during the Corona pandemic. And making a mistake online, such as clicking on a malicious link or sharing data with the wrong party, can incur a heavy cost. The vast majority of cyber-attacks, around 98%, use social engineering methods. Cybercriminals are innovative in finding new ways to deceive users and developing techniques for accessing passwords, networks and data as they exploit common issues and trends to lure users into unsafe online behavior. Recently, a global cyber-attack targeted people searching for visual material related to the spread of the COVID-19 virus. The malware was hidden in a map showing coronavirus stats from a secure online source. Browsers were also asked to download a malicious application that compromised their computers and allowed hackers to access stored passwords.

3. Dangerous behaviors with increased Internet use:

Unintended risky behavior increases when you spend more time online. For example, users may be deceived by free access to obscure websites or hacking offers and this exposes them to malware and potential attacks. Likewise, there may be hidden risks in requests for credit card information or downloading specialized applications. Generally and especially during crises such as the Corona pandemic, clicking on the wrong link or expanding your online browsing habits can be a very costly and dangerous thing.

Topic Two: Crimes that have decreased during the Corona pandemic:

With millions of the world's population isolated in their homes during the Corona pandemic crisis, many crimes have decreased. This made it difficult for criminals to go out and move according to the restrictions imposed by the governments followed by the comprehensive and partial curfew. These crimes were divided into traditional crimes and organized crimes. To clarify this, this topic was divided into two main sections; the traditional crimes that decreased during the Corona pandemic and the organized crimes which decreased during the Corona pandemic.

A. The traditional crimes that decreased during the Corona pandemic:

Traditional crimes are crimes organized by one or more people, such as theft, murder, domestic violence, fraud, quarrels and traffic accidents.

Theft:

Theft is the taking with the intention of owning money transferred to others without their consent. The Jordanian legislator defined theft in Article 399 of the Penal Code as taking the money of others without their consent. Theft is considered one of the crimes committed against money in Jordanian law, and it is the criminal activity represented by taking money and embezzling it without the consent of the victim. The material element in the crime of theft is achieved by seizing movable money owned by others without their consent. The act of taking money is based on two elements, one is objective and the other is personal. The objective element is the criminal behavior of the offender; taking the money of others. As for the personal element, both the

offender and the victim are involved in it. When the offender takes the money of others, he has the intention of owning it. As for the victim, he is dissatisfied with the act of the offender's appropriation of his money, or at least his dissatisfaction is assumed. The moral element, which is the criminal intent represented by the will to commit an act of taking the money of others without their consent, with the intention of owning it, and the crime scene is the movable money owned by others^[19]. The Jordanian legislator considered the crime of theft during the Corona pandemic to be a felony and not a misdemeanor, regardless of its circumstances, based on the text of Article 405 of the Jordanian Penal Code, which states that committing theft during the presence of a pandemic, disobedience or exceptional events is considered a felony and the penalty ranges between 3- 15 years according to the Penal Code. Among the applications of this is what the Court of Appeal brought about "and since it is decided that that day is a curfew day due to the Corona pandemic,^[20] the act of theft is of a criminal description that applies with Article (405) of the Penal Code, according to what we have said. In this case, the jurisdiction to consider is beyond the powers of the peace judge. ¹ The crime rate in Jordan was 54.63% of the 26,521 crimes committed in 2019. As for the year 2020, there are no official statistics, but the crime of theft decreased compared to previous years due to the conditions in which the country passed restrictions on citizens by imposing a comprehensive and partial curfew.

B. Organized crimes that have decreased during the Corona pandemic:

The Jordanian Terrorism Prevention Law of 2006 stipulates the prohibition of prohibited terrorist acts in Article (3), which states: "With due regard to the provisions of the Penal Code or any other law, the following acts are considered prohibited terrorist acts:

a. Carrying out any direct or indirect means by providing, collecting or procuring funds with the intent of using them to commit a terrorist act or to finance terrorists, whether or not the act occurred inside or outside the Kingdom since it is related to its citizens or interests.

b. Carrying out acts that would expose the Kingdom to the risk of hostile acts, or disturb its relationship with a foreign country, or expose Jordanians to the risk of reprisals against them or their money.

c. Joining or trying to join any armed groups or terrorist organizations, or recruiting or trying to recruit people to join them or train them for this purpose, whether inside or outside the Kingdom.

d. Establishing or affiliating with an association or any group, organization or association, or practicing any of them for any act with the intent of committing terrorist acts in the Kingdom or against its citizens or its interests abroad.

e. Using the information system, the information network, or any means of publishing, informing, or creating a website to facilitate the perpetration of terrorist acts, support for a group, organization or association that carries out terrorist acts, promote its ideas, finance it, or perform any act that exposes Jordanians or their property to the risk of hostile or retaliatory acts whether inside Jordan or abroad.

f. Possessing, acquiring, manufacturing, importing, exporting, transporting, selling or receiving explosive, toxic, chemical, bacterial, radioactive, inflammable or incendiary materials, weapons or ammunitions, or dealing with any of them in any way with the intention of using them to carry out acts of terrorism or in an illegal manner.

g. Assault on the life or freedom of the king, the queen, the crown prince, or one of the guardians of the throne.

h. Every act committed with the intent of provoking armed rebellion against the existing authorities under the constitution, preventing them from exercising their functions derived from the constitution, or changing the Kingdom's constitution by illegal means.

i. Forming a gang with the intent of robbing passers-by, attacking people or funds, or committing any other act of banditry.

When emergency laws are extended, this may lead to a decline in freedoms or to the occurrence of serious societal challenges such as high rates of crime, theft, robbery, drug abuse and possible suicide. Social unrest can also turn into a vicious circle and lead to pressure on the local community, thus increasing the burden on the various security departments, making them more vulnerable to threats from various terrorist groups. There is no doubt that since the announcement made by the World Health Organization of the existence of a global epidemic, the Corona virus, the initial data indicated a decrease in the rate of organized terrorist operations, but it did not stop completely, as most of the operations took new methods. However, Jordan was absolutely free of terrorist operations in 2020, as it did not witness any terrorist operation. This is the first time that Jordan has been free of terrorist operations since 2011. This indicates the effect of the restrictions imposed by the government; issuing defense orders related to a comprehensive and partial curfew. But this does not mean that it was not subjected to an attempt to carry out terrorist attacks during 2020, as the Jordanian Intelligence Department thwarted 3 operations by ISIS.

The Jordanian Court of Cassation commented in this regard, "The trial court is independent in weighing and evaluating the evidence presented to it, and in order to form its emotional conviction, it has the right to take and be convinced of the evidence, to divide it, to put it down, to exclude it, and to draw conclusions. Article (147/2) of the Code of Criminal Procedure, as long as the approved evidence is legally acceptable and its legal conditions are met, and that its conclusion of the results was justified, sound and acceptable, reasonably and legally, and derived from valid evidence that has a firm origin in the case papers. Since the State Security Court reached the fact of the firm case in which it was convinced that the distinguished circulated and supported the terrorist organization ISIS and used the Internet in order to spread and convince others of the organization's ideas that it had embraced. The General Intelligence, where the arrest report dated 13/7/2019 was organized, which fulfilled all its conditions and data in accordance with the provisions of Article (100) of the Code of Criminal Procedure and the statements were taken on 16/7/2019 during the seven-day period stipulated in Article (7) of the Law of the State Security Court, and the prosecution presented the witness (the investigator) to prove the circumstances in which the statement was taken in application of the provisions of Article (159) of the Code of Criminal Procedure. And since the State Security Court has adopted this evidence whose legal conditions are met, and its conclusion of the case's fact was justified and acceptable, thus what I mentioned was in accordance with the law." In Egypt, the terrorists persisted less during the Corona pandemic, but the threat did not completely disappear. The terrorists have continued to target soldiers and military interests in North Sinai almost without interruption. According to the claims of the Islamic State, the year 2020 has witnessed thirty-nine attacks. This resulted in the killing of thirty-five soldiers and civilians suspected of complicity, and the injury of twenty-five others. These attacks are distributed over a geographical area that extends from Bir al-Abed, less than 50 kilometers east of the Suez Canal, to Rafah on the border with Gaza.^[21]

Attacks regularly target checkpoints manned by conscripts, sometimes resulting in casualties among officers.

The death rate resulting from terrorist operations has also decreased by 20% globally from 2019, despite that, terrorism still poses a major and serious problem in many countries of the world.

Conclusion:

The subject of this study is the impact of the Corona pandemic crisis on the crime rate in Jordan and the extent to which the provisions of the Jordanian Penal Code are applied during emergency with the issuance of the Defense Law. The study took a comparative form, as the Corona pandemic affected the rate of illegal crimes in the world, represented by the crime of terrorism and street crimes such as thefts, looting,

robbery and electronic crimes such as Internet crimes, black markets, smuggling crimes, human trafficking and smuggling globally, as the home quarantine imposed by the countries of the world as a precautionary measure against the Corona pandemic, which is supposed to have reduced traditional crimes due to the presence of security pillars on the roads, has greatly reduced theft crimes, especially car theft.

The problem of the study lies in explaining the impact of the role of the Corona pandemic and the resulting curfew, in addition to the decision to release a large number of prisoners in increasing or decreasing crime rates and the applications of criminal law under the Defense Law. So we have studied this effect by studying a number of crimes, including organized crime, electronic crimes and traditional crimes. The presence of obstacles in the direction of crime does not mean its permanent demise as individuals in criminal organizations also develop their thinking and capabilities to continue carrying out their criminal activity even during crises, epidemics or disasters.

Therefore, we divided this study into two sections; the first is dedicated to explaining the crimes that increased under the Corona pandemic and was divided into traditional crimes and organized crimes, while the second topic was devoted to crimes that decreased during the Corona pandemic. The researcher adopted the comparative analytical method.

The researcher found a number of results and made some recommendations, the most important of which were:

Results:

The Corona pandemic crisis is one of the severe global crises. It is a turning point and a change in the balance of the world's economic and political forces, although it initially affected the global health sector, it also affected all aspects of economic, social, political and security life.

2- Most criminal organizations globally have taken advantage of the Corona pandemic and had the opportunity to change their paths and extend their influence by trying to defraud electronically.

3- The Corona pandemic crisis affected the weak-minded people by investing people's fear and terrorizing them by spreading rumors and circulating them through social media.

4- The Corona pandemic and the resulting restrictions and curfew measures and the suspension of movement have greatly affected the work of terrorist criminal organizations and non-traditional crime such as theft.

5- The restrictions imposed on curfews and the issuance of defense orders to ban people in their homes have affected the increase in the crime of domestic violence.

Recommendations:

1-We should not focus on the Corona crisis from a medical aspect only. It is necessary to study the Corona pandemic from all political, economic, social and security aspects.

2- Strengthening international cooperation through regional and international organizations in the face of cybercrime and trying to confront it.

3- There is a need to think and adopt a more comprehensive view on terrorism, as the researcher believes that the decline in terrorism due to Corona is a temporary decline, and the later may be more dangerous and deeper and carry greater challenges in the face of terrorism and organizations of all kinds, as it is possible that this pandemic has granted militias and terrorist organizations a new opportunity to reorganize its reality, arrange its priorities, and plan for the next stage.

References

- .1 Colizza, V., et al., *The modeling of global epidemics: Stochastic dynamics and predictability*. Bulletin of mathematical biology, 2006. **68**(8): p. 1893-1921.DOI: <https://doi.org/10.1007/s11538-006-9077-9>.
- .2 Enitan, S.S., et al., *The 2019 novel coronavirus outbreak: current crises, controversies and global strategies to prevent a pandemic*. International Journal of Pathogen Research, 2020. **4**(1): p. 1-16.DOI: <https://doi.org/10.9734/ijpr/2020/v4i130099>.
- .3 Nadelmann, E.A., *Global prohibition regimes: The evolution of norms in international society*. International organization, 1990. **44**(4): p. 479-526.DOI: <https://doi.org/10.1017/S0020818300035384>.
- .4 Lawson, A., *The United Nations Convention on the Rights of Persons with Disabilities: New era or false dawn*. Syracuse J. Int'l L. & Com., 2006. **34**: p. 563.
- .5 Piquero, A.R., et al., *Domestic violence during the COVID-19 pandemic-Evidence from a systematic review and meta-analysis*. Journal of Criminal Justice, 2021. **74**: p. 101806.DOI: <https://doi.org/10.1016/j.jcrimjus.2021.101806>.
- .6 Layachi, O.B., *International and national obligations to protect from the risks of pharmaceutical crime: The crime of counterfeit pharmaceutical products in the COVID-19 crisis*. Systematic Reviews in Pharmacy, 2020. **11**(2): p. 648-5.7DOI: <https://doi.org/10.18356/27c55534-en>.
- .7 Hasan, I., et al., *Street Crime during Covid-19 Pandemic in Perspective of Routine Activity Law Theory and it Influence on Indonesian Criminal Law*. International Journal of Science, Technology & Management : (2)1 .2020 ,p. 46-54.DOI: <https://doi.org/10.46729/ijstm.v1i2.17>.
- .8 Paper, S.M., P.D. Rubin, and H. Kim, *Food security would be compromised by combining the Food and Drug Administration and the US Department of Agriculture into a single food agency*. Food & Drug LJ, 2004. **59**: p. 405.
- .9 Geldenhuys, K., *Exploiting the pharmaceutical market during COVID-19*. Servamus Community-based Safety and Security Magazine, 2021. **114**(1): p. 24-28.
- .10 Tasnim, S., M.M. Hossain, and H. Mazumder, *Impact of rumors and misinformation on COVID-19 in social media*. Journal of preventive medicine and public health, 2020. **53**(3): p. 171-174.DOI: <https://doi.org/10.3961/jpmp.20.094>.
- .11 Youngs, R., *Global civil society in the shadow of Coronavirus*. Carnegie Endowment for International Peace, 2020.
- .12 La, V.-P., et al., *Policy response, social media and science journalism for the sustainability of the public health system amid the COVID-19 outbreak: the Vietnam lessons*. Sustainability, 2020. **12**(7): p. 2931.DOI: <https://doi.org/10.3390/su12072931>.
- .13 Kennedy, R.L., *McCleskey v. Kemp: Race, capital punishment, and the Supreme Court*. Harvard Law Review, 1988. **101**(7): p. 1388-1443.DOI: <https://doi.org/10.2307/1341399>.
- .14 De la Miyar, J.R.B., L. Hoehn-Velasco, and A. Silverio-Murillo, *Druglords don't stay at home: COVID-19 pandemic and crime patterns in Mexico City*. Journal of criminal justice, 2021. **72**: p. 101745.DOI: <https://doi.org/10.1016/j.jcrimjus.2020.101745>.
- .15 Gomez, C.T., *Organised Crime Governance in Times of Pandemic: The Impact of COVID-19 on Gangs and Drug Cartels in Colombia and Mexico*. Bulletin of Latin American Research, 2020. **39**: p. 12-15.DOI: <https://doi.org/10.1111/blar.13171>.
- .16 Silverstone, D., *Organised crime and its policing*. Social Problems in the UK: An Introduction, 2014: p. 140-159.
- .17 Ojedokun, I.M., *Influence of corona virus disease (COVID-19) on spiritual well-being and insecurity among Nigerian citizens*. African Journal of Social Work, 2021. **11**(3): p. 139-144.
- .18 Thakur, K., et al. *An investigation on cyber security threats and security models*. IEEE.
- .19 Nelson, K. and J. Segil, *The pandemic as a portal: Reimagining crime and punishment in Colorado in the wake of COVID-19*. Denv. L. Rev., 2020. **98**: p. 337.

- .20 Taelman, P., *The impact of Covid-19 on civil procedure in Belgium*, in *Civil courts coping with Covid-19*. 2021, Eleven International Publishing. p. 15-23.
- .21 Aziani, A., et al., *COVID-19 and Organized Crime: Strategies employed by criminal groups to increase their profits and power in the first months of the pandemic*. Trends in Organized Crime, 2021: p. 1-22.
-