

# Elucidating the Necessity of Drafting a Legal Provision for Corruption Prevention in the Law Establishing the General Inspection Organization

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Administrative corruption encompasses a range of factors and behaviors arising from individuals' activities or bureaucratic rules, which, in practice, lead to public dissatisfaction, injustice, oppression of individuals, negligence, and lack of respect for service recipients. The General Inspection Organization (GIO) is tasked not only with overseeing the precise implementation of laws within the administrative apparatus of the country but also with identifying weaknesses in the enforcement of laws within the execution system and communicating these to authorities and officials to propose the best solutions. Furthermore, this organization must present appropriate solutions for addressing violations to executive organizations and institutions by leveraging cultural, social, economic, political, administrative, managerial, legal, and judicial factors. The research methodology employed in this study is descriptive-analytical. The objective of this paper is to highlight the gaps in the legal framework of the General Inspection Organization concerning corruption prevention. The findings indicate that, given Article 174 of the Constitution and the existing provisions in the Law on the Establishment of the General Inspection Organization, the subject of corruption prevention is highly ambiguous and superficial. Based on the consequences of corruption in various sectors, it is plausible to anticipate the formulation of a legal provision for combating corruption within the framework of the Law on the Establishment of the General Inspection Organization.

**Keywords:** *General Inspection Organization, Prevention, Corruption, Oversight.*

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## 1. Introduction

Islam, as a complete and comprehensive religion, addresses all aspects of human life, including personal, social, and political spheres, emphasizing the importance of oversight and the necessity of establishing order and control over actions and affairs. In Islam, the mechanisms of supervision and control, both internal and external, serve a fundamental purpose: to strengthen the system of oversight and control as much as possible within the political and social forces,

institutions, and executive apparatus. This approach ensures that the three main pillars of society—namely the people, institutions and executive bodies, and political leadership—are aligned and work in harmony with divine objectives and human interests. The prediction and establishment of the "Hisbah" institution in an Islamic government is one such measure. Hisbah is one of the historical institutions in Islamic criminal policy, focused on preventive supervision. The primary function of Hisbah is supervision and control, and it



seems that the Hisbah institution in an Islamic state is responsible for overseeing the execution of administrative and executive duties, ensuring the smooth flow of economic affairs, preventing harmful actions, and prohibiting unlawful practices. In this capacity, it possesses quasi-judicial authority, though its approach is administrative. The responsibility for Hisbah could either be fulfilled by the Islamic ruler personally or delegated to trusted individuals.

Control and supervision, as one of the most critical duties of a manager, are considered essential pillars of healthy and efficient management. Managers, while fulfilling their planning duties, determine organizational goals and the means to achieve them. In addition to personal supervision and control by the ruler of the Muslims over governmental affairs, as demonstrated in the conduct of Amir al-Mu'minin Ali (PBUH), indirect supervision and control were also practiced, with the ruler assigning trusted individuals to manage these responsibilities. Thus, it is evident that, alongside recommending the necessity of oversight over officials, the selection of trustworthy and righteous individuals for this important task was also a key consideration. Moreover, during his rule, Imam Ali (PBUH) was more informed about the conditions of his agents than any other ruler, and he appointed several trusted companions to monitor the status of his employees and inquire into their conduct across various cities. These agents reported all details to him.

Beyond the existence of oversight institutions like Hisbah in society, Islam places significant emphasis on the role of the people and the human community in fostering public supervision aimed at reducing crime. Corruption spreads when civil society remains indifferent to it; however, when the people of a society react to wrongful acts and forbidden behaviors, many forms of petty corruption, which would otherwise evolve into large-scale corruption and societal problems, can be eliminated. "Enjoining good and forbidding wrong" is one of the most effective methods of informal oversight and control. The collective responsibility of all citizens to enjoin good and forbid wrong in preventing crime and as a means of response holds all individuals, regardless of their social standing, accountable to one another.

The system of oversight and control that can be derived from religious sources is comprehensive, just, and unique. This is because in Islamic teachings, there are

three authorities overseeing the actions of the government officials and managers: God, the Imam, and the people. It is important to note that the comprehensiveness and scope of the system proposed by Islam regarding oversight and control do not imply excessive or harsh measures but rather advocate for precision and careful effort to ensure proper implementation. Just as neglecting oversight can prevent an organization from achieving its goals and carrying out its plans, leading to inadequate responses to threats and opportunities, excessive oversight can also harm individual freedoms and independence and provoke resistance from the organization's personnel. One of the organizations tasked with overseeing and preventing corruption is the General Inspection Organization of Iran. Based on the Law on the Establishment of the General Inspection Organization and its regulations, this organization fights corruption and supervises government operations. Despite the provisions in Article 174 of the Constitution and Article 11 of the Law on the Establishment of the General Inspection Organization, there are gaps in the legislation's clarity concerning corruption prevention. This raises the question: what provisions has the Law on the Establishment of the General Inspection Organization approved for combating corruption? This topic is innovative because existing writings have analyzed crime prevention but have not addressed the legislative gaps, which this research aims to explore, specifically emphasizing the need for a legal provision for combating corruption.

Studies related to this topic include:

Falsafi (2015), in his research titled "Examination of the Oversight Jurisdiction of the General Inspection Organization over Regulations Enacted by the Judiciary," explores the General Inspection Organization as a subsidiary of the judiciary for oversight, stating that the organization holds oversight authority granted by the Constitution. However, this authority is not solely derived from the Constitution, as the interpretive opinions of the Guardian Council also complement the law regarding the organization (Falsafi, 2015).

Babamohammadi (2015), in his research titled "Public Supervision: A Different and Comprehensive Approach in the Fight Against Corruption," addresses the role of the General Inspection Organization in achieving public oversight goals to prevent crime, foster a culture of legal adherence, promote the integrity of the administrative

system, combat corruption, prevent the waste of public assets and natural resources, and establish a unit within its structure called the "Office for the Development of Public Supervision." The findings indicate that the legislator has addressed the issue of combating corruption ambiguously in the new law, but it is expected that, given the importance of the corruption issue, the legislator will provide more clarity in future provisions (Babamohammadi, 2015).

## 2. The Role of the Supreme Audit Court in Crime and Corruption Prevention

This organization has a dual identity and structure, which includes ensuring the proper functioning of affairs and the correct implementation of the law, along with detecting and combating corruption.

### 2.1. *The Supervisory Role of the Supreme Audit Court in Ensuring the Proper Functioning of Affairs and the Correct Implementation of the Law in Institutions*

According to the law, the Supreme Audit Court, as part of the judiciary's supervisory power, continuously supervises and inspects all ministries, organizations, administrative and financial affairs of judicial institutions, and more. In addition to conducting special inspections, the organization reports any violations, deficiencies, and misconduct in administrative, financial, and other matters based on directives from the authorities. This responsibility is a form of macro-level oversight and prevention.

The duty of the Supreme Audit Court is primarily focused on the law and its requirements, ensuring the proper functioning of affairs. This concept is also reflected in Article 156 of the Constitution, which includes ensuring the correct implementation of the law as one of the judiciary's tasks, carried out through inspections and oversight. The two main missions of the Supreme Audit Court (proper functioning of affairs and correct implementation of the law) are usually carried out through supervision and subsequent inspection. In the fight against corruption, the Supreme Audit Court uses both methods as an executive mechanism (Mostafavi-Nejad et al., 2022, p. 210).

### 2.2. *Anti-Corruption Actions*

In accordance with its overarching supervisory role, the Supreme Audit Court, in addition to preventive actions, conducts legal inspections and produces analytical reports in response to the 8-point directive issued by the Supreme Leader in 2001. These efforts include long-term and medium-term policies and planning. The full support and coordination of responsible agencies can help achieve the organization's anti-corruption objectives (Parvin & Delbar, 2014).

Corruption is generally a long-standing phenomenon, marked by diversity and severe cultural, economic, and social consequences. It results from the abuse of public positions and resources for personal gain. The existence of corruption in a society, and its detrimental consequences, undermines the legitimacy of government, public authority, and the rights of even the lowest levels of society, becoming a significant obstacle to growth, development, progress, and public movement. According to the World Bank, corruption is the largest barrier to social and economic development.

Corruption is influenced by societal culture, the status of laws and regulations, government structure and authority, administrative systems, and the political and social standing of power institutions. Some of its economic and social consequences, such as reduced investment, decreased government revenue, lower organizational productivity, reduced public safety, and the rise of poverty, have prompted governments to focus more on combating it (Yazdanpanah et al., 2013).

International statistics, especially from Transparency International, show that more than 90% of developing countries have low ratings (below 5 on a 10-point scale) on governance indicators, highlighting the global concern about corruption and motivating authorities to take action. This includes several legislative and structural reforms, such as the Law on Severe Penalties for Bribery, Embezzlement, and Fraud (1985), the General Accounting Law (1987), the Islamic Penal Code, and the Law on the Prevention of Economic Disruptions (1990), alongside strategic principles set by the Supreme Leader for the nation's progress and anti-corruption directives (Barari, 2018).

### 2.3. *Diagnosing the Causes of Corruption*

Identifying the causes and roots of corruption is one of the key responsibilities that the Supreme Leader has assigned to the Supreme Audit Court in the new strategy to combat corruption. Through extensive inspections related to various issues and institutions, the organization has identified the factors contributing to corruption and taken action by submitting reports to relevant authorities, following up on them to achieve results. These diagnoses include the identification of administrative processes that foster corruption, legal gaps creating corruption opportunities, and corruption-inducing powers of various officials and institutions (Jafari Langaroudi, 2024).

### 2.4. *Focusing Oversight and Monitoring on National Programs for Preventing Corruption*

The Supreme Audit Court bases its programs on monitoring, ensuring that regulations and laws are properly implemented, which helps prevent corruption in the administrative bodies. Key areas of focus include the promotion of lawfulness, the growth of organizational integrity, transparency in transactions and granting public benefits, downsizing the government, developing public service training, privatizing the economy, improving administrative processes, enhancing public service delivery, and expanding e-government services. These fundamental issues are central to the organization's efforts to achieve effective oversight (Abolhamd, 2005).

### 2.5. *Developing Self-Control and Preventive Supervisory Actions*

A key part of the organization's anti-corruption efforts is the development of preventive supervision, such as overseeing the provision of government grants, transactions, and self-monitoring actions within executive bodies. The lack of transparency in administrative systems is one of the primary means through which corruption infiltrates public transactions. By overseeing documents and conducting regular inspections, the organization can control corruption trends and stop any potential wrongdoing when necessary (Torki, 2021).

### 2.6. *Collaboration with Other Responsible Bodies to Create Coordination and Cooperation in Preventing and Combating Corruption*

Preventing corruption requires the coordination and cooperation of all relevant bodies. Thus, the Supreme Audit Court has adopted a policy of interaction with other agencies to create the necessary conditions for preventing corruption. This includes bilateral and multilateral engagements with other institutions to facilitate coordination and cooperation in the fight against corruption. The organization also ensures proper oversight and addresses complaints from public institutions regarding corruption through training inspectors, conducting integrated inspections, implementing self-monitoring procedures, and facilitating public involvement in anti-corruption efforts (Hamdami Khotbe Sara, 2008).

### 2.7. *Reforming the Law to Enable New Legal Capabilities*

This year, the Iranian Parliament amended the law governing the Supreme Audit Court. One of the key amendments is the expansion of the definition of oversight and inspection, which is crucial in preventing corruption. According to the amendment, inspections are described as "a continuous, systematic, and goal-oriented set of activities aimed at gathering information on the stages before, during, and after actions taken by entities covered by this law, analyzing the data, comparing the entities' performance with legal goals, and making appropriate suggestions to ensure proper functioning of affairs." This amendment ensures that preventive oversight against corruption in administrative bodies is legally guaranteed (Adibpour & Mohammadi Vaei, 2016).

### 2.8. *Legal Enforcement for Non-Compliance with Organizational Recommendations*

One of the other amendments to the law includes provisions for penal consequences if governmental entities fail to properly implement recommendations made by the Supreme Audit Court. In Article 11, broad powers are granted to non-governmental organizations (NGOs) to coordinate between oversight bodies, provide input in government decisions related to public transactions, issue preventive warnings, and contribute to public awareness and education efforts aimed at

combating corruption and promoting administrative health (Abbasi Mazra'eh-Shahi, 2010).

### 2.9. *Evaluating Corruption in Public Institutions and Setting Local Indicators*

Without transparency, corruption cannot be effectively addressed. Transparency is a critical component in the fight against corruption. However, the indicators used to measure corruption must be rational and realistic, as each country has unique conditions. Therefore, the Supreme Audit Court, in collaboration with other responsible institutions and consultation with international organizations, is developing local corruption measurement indicators to ensure a clearer perspective on the issue and assess the results more effectively (Abbasi, 2023).

### 2.10. *Utilizing Information Technology for Digital Preventive Oversight*

The use of information technology is one of the measures the Supreme Audit Court has adopted to enhance its capabilities in preventing corruption. The adoption of digital oversight systems is one of the organization's major initiatives in the realm of information technology. This allows for comprehensive oversight without the need for physical presence, enabling the organization to monitor administrative processes in real-time. Planning and studies related to this project are currently underway (Adibpour & Mohammadi Veyayi, 2016, p. 163).

## 3. **Enforcement Mechanisms for Failure to Perform Preventive and Supervisory Duties**

One of the formal principles of legislative discourse is the existence of strong enforcement mechanisms to implement laws and prevent their violation by individuals. "Enforcement is a tool for preventing the violation of rights and forcing compliance with them." Enforcement mechanisms include various types such as criminal, civil, disciplinary, and administrative sanctions. It is evident that criminal sanctions, due to their ability to instill fear and their decisiveness in execution, hold significant importance compared to other enforcement mechanisms (Rezaeezadeh & Abedi, 2010).

Although the existence of enforcement mechanisms alone is not sufficient to implement laws, having

appropriate enforcement mechanisms enhances the cost of committing crimes and reduces criminal activities. Oral warnings, records in files, reprimands, and suspensions are examples of administrative enforcement mechanisms applied to employees who violate regulations. However, in cases of administrative corruption, perpetrators are typically subjected to criminal enforcement mechanisms, unlike administrative violators, who, due to violating administrative regulations and laws, are addressed with administrative enforcement mechanisms. Given the importance and sensitivity of corruption and its connection to national and international security and reputation, related laws have generally been equipped with enforcement mechanisms. However, the way in which these laws are enforced depends on the law enforcement authorities, the legal system of each country, the level of corruption in relevant organizations, and the social and cultural environment of that country (Amid Zanjani & Mousavi Zadeh, 2020).

## 4. **Types of Prevention Under the Inspection Organization's Duties**

Supporting individuals involved in the detection of crimes and preventing their occurrence are two key aspects of addressing administrative corruption and economic offenses, which are examined below through specific examples.

### 4.1. *Reporting Financial Corruption*

The occurrence of administrative corruption in any form requires two key components: one is the "desire" to commit the offense, and the other is the "opportunity" or environmental readiness for its occurrence. "Corruption, when both the opportunity and the desire are present, is born, and it grows under other conditions." Considering that financial corruption is typically perpetrated by white-collar criminals aiming to secure personal benefits, these individuals often engage in detailed planning before committing a crime and assess the costs and benefits of the crime to minimize the risk to their status and position. This complexity makes financial corruption a sophisticated crime, reducing the likelihood of its detection. Based on this, reporting by colleagues and employees of the relevant organizations and

institutions is a critical factor that can significantly assist in uncovering such crimes (Barari, 2018).

Article 8, Clause 4 of the Convention mentions the reporting of financial corruption, stating that: "Each member state shall, in accordance with the fundamental principles of its domestic law, establish measures and systems to facilitate the reporting of corruption to the relevant authorities by public officials when they encounter such acts in the performance of their duties." In addition, under the Law on Improving the Health of the Administrative System of Iran, the Ministry of Economic Affairs and Finance is obligated to oversee the economic activities of individuals and legal entities in the execution of its legal duties and to report any misconduct, along with corrective recommendations, to the relevant authorities (Article 9) (Saeedi, 2024).

The reporting of financial corruption is mentioned in Article 13 of the aforementioned law, which states: "All officials of the bodies subject to this law are required to immediately report to judicial and administrative authorities any crimes related to this law and other offenses associated with economic corruption in their area of responsibility, and in a note to this article, employees of the bodies subject to this law are required to report immediately, in writing and confidentially, any knowledge of such crimes within their own institution to their higher authorities or to the supervising unit" (Khedmati, 1999).

Similarly, Article 14 imposes a similar duty on official experts, inspectors, supervisors, accountants, auditors, and other individuals responsible for examining or registering the records, books, and activities of legal and natural persons. These individuals play a crucial role in preventing administrative corruption, which is why they are given specific duties worldwide. In Article 15 of the Law on Improving Administrative Health, the responsibility for reporting financial corruption to authorities, managers, and direct supervisors of each unit in government organizations is assigned (Clause A of Article 2 of this law). The legislator even incentivizes employees and officials who have made extraordinary efforts in reporting economic corruption to the relevant authorities and fighting against it. The executive regulations for these incentives were approved in the Cabinet meeting on 15/4/2014. These incentives include: granting certificates of appreciation, offering a reward or classification group, priority in appointments

to managerial positions, and finally, paying a monetary reward equivalent to two months' salary at the time of payment (Zarehkar, 2017).

However, despite the clear prohibition of discrimination in the fight against corruption by Clause 7 of the eight-point directive of the Supreme Leader issued in 2001, which explicitly states, "No person or institution should be exempted, and no person or institution can avoid accountability by claiming allegiance to me or other officials, and corruption in any position should be confronted in the same manner," Clause B of Article 2 of the Law on Improving Administrative Health stipulates that subordinate units of the Supreme Leader, including civilian and military institutions, are subject to approval. This provision contradicts the directive of the Supreme Leader. In simpler terms, this regulation allows institutions under the Supreme Leader's supervision to directly engage in the realm of governmental contracts and tenders. It is necessary for the legislator to ensure equality of rights for all individuals before the law and to align these institutions with the accountability framework, in accordance with Clause 7 of the Leader's directive (Khedmati, 1999).

#### 4.2. *Oversight of Public Procurement and Management of Public Funds*

Unfortunately, the administrative system of the country and its controlling and supervisory organizations lack an appropriate mechanism and public acceptability. The frequent petitions and lawsuits filed in the Administrative Justice Court serve as a testament to this view. This issue results in an increased likelihood of abuse in government procurement and, overall, in the expenditure of public funds, especially when supervisory bodies are functioning poorly. Therefore, under Article 9 of the Convention, each member country is required to take appropriate measures, in accordance with the basic principles of its legal system, to establish systems for appropriate procurement, based on transparency, competition, and objective criteria in decision-making, in order to effectively prevent the occurrence of financial corruption. Additionally, the Convention suggests ways to implement these measures. (Naderi, 2001, p. 59)

In the Law on the Promotion of Administrative Health, under Article 5, a mechanism known as "deprivation" is mentioned as a means of preventing financial corruption, which will be discussed in the penalties section. Article 8

also assigns responsibilities to the Vice Presidencies for Planning and Strategic Supervision and the Development of Management and Human Capital of the President to prevent corruption. The tasks of these organizations include setting policies and strategies for information transparency and establishing relevant processes and mechanisms for administrative procedures such as company registration and the transfer of real estate, in such a way that the need for individuals to refer to these offices is significantly reduced (Rezaeezadeh & Abedi, 2010).

Additionally, Article 18 prohibits any direct or indirect economic activities for all the mentioned organizations under Subsections (a), (b), and (c) of Article 2 of this law, unless such economic activities are foreseen within their legal duties and powers.

#### 4.3. *Prevention of Corruption in the Private Sector*

In the private sector, corruption leads to market distortion and unfair competition. Many private companies resort to bribery to succeed in tenders and contracts and, by creating cartels or exploiting legal loopholes, significantly affect various public sectors (such as energy, healthcare, etc.). The Convention, under Article 12, addresses the issue of combating corruption in the private sector (Shahidipour et al., 2020).

According to this article: "Each member state, in accordance with the basic principles of its internal laws, will take measures to prevent corruption in the private sector, improve auditing standards in the private sector, and, where necessary, impose effective, deterrent civil, administrative, or criminal penalties for failure to follow such measures." Additionally, under the second clause, measures are proposed to combat corruption in the private sector.

The law on the promotion of administrative health also refers to "private professional institutions responsible for public duties and non-governmental organizations that, according to laws and regulations, are entrusted with part of the sovereign functions, such as the Iranian Bar Association, the Medical System Organization, and the Engineering System Organization," and includes the phrase "all natural and legal persons subject to this law." However, unlike the Convention, no specific measures are proposed. Thus, the adoption of measures outlined in the Convention is necessary and beneficial (Moghadamat, 2023).

The reference to the private sector in the Convention and, consequently, in the Law on Promoting Administrative Health, indicates that corruption is a multifaceted phenomenon. Unilateral measures, especially those solely targeting the public sector, are insufficient. Private sector corruption must also be addressed, as it directly impacts the public sector (Ebrahimi, 2005).

#### 4.4. *Establishment of Official Oversight and Control Bodies*

Given the growth of corruption and its consequences, this issue was addressed after the victory of the Islamic Revolution, and measures were adopted in the Constitution of the Islamic Republic of Iran to establish oversight and control bodies to prevent the expansion of this problem. According to Article 174 of the Constitution, based on the judicial branch's right to oversee the proper conduct of affairs and the correct implementation of laws in administrative institutions, an organization known as the "Supreme Audit Court" is established under the supervision of the Head of the Judiciary. The law on the formation of the Supreme Audit Court, approved on October 11, 1981, and its amendment on July 29, 1996, determines the duties of this organization. Article 2 of this law outlines the duties of the Supreme Audit Court as follows:

a) Continuous inspection of all ministries, agencies, institutions, state-owned companies, municipal corporations, and affiliated organizations, military and police forces, notary offices, organizations where all or part of their capital or shares are owned by the government, or where the government supervises or assists them, public welfare institutions, and revolutionary bodies, based on a systematic program (Alvani, 2015).

b) Conducting special audits as instructed by the Head of the Judiciary or upon the request of the Constitutional Committee of the Islamic Consultative Assembly, or by the request of the minister or responsible executive officials, or in any other case deemed necessary by the head of the organization or the Judiciary.

c) Reporting violations, deficiencies, and financial and administrative misconduct in ministries and revolutionary institutions (the list of which is approved by the Cabinet) to the Prime Minister, in state-owned institutions and companies to the relevant ministry, in

municipal corporations and their affiliated organizations to the Minister of the Interior, in judiciary-affiliated organizations to the Head of the Judiciary, and in non-governmental institutions receiving government assistance to the Ministry of Economic Affairs and Finance (Saeedi, 2024).

It is well known that oversight and control require significant time, cost, and human resources. However, as the Judiciary is responsible for crime prevention, the existence of such an organization within the government can prevent many corruption-related activities in organizations and departments, thereby protecting society from the consequences of such actions. The establishment of another body, the "Court of Audit," under Article 55 of the Constitution, to audit agencies using the country's budget, is an effective means of preventing administrative and financial corruption. The Court of Audit monitors state-owned companies' budgets, compares them with performance, and reviews documents and records, thus playing an effective role in discovering corruption (Khalouei, 2018).

In Article 1 of the Court of Audit's law, approved on February 1, 1983, and its amendment on May 10, 1991, it is stated: "The goal of the Court of Audit, in line with the principles outlined in the Constitution, is to carry out continuous financial oversight to safeguard public funds through:

- a) Monitoring the financial operations and activities of all ministries, agencies, state-owned companies, and other organizations that use the national budget.
- b) Reviewing and auditing the expenditures, revenues, and other funding sources in connection with the financial policies outlined in the approved budget, based on the operational and financial reports from the relevant agencies.
- c) Preparing and compiling the budget execution report, including its observations, and submitting it to the Islamic Consultative Assembly." The Court of Audit serves as the financial control auditor of the legislature and is directly under the supervision of the Islamic Consultative Assembly.

Although supervisory bodies play a fundamental and significant role in preventing corruption, an analysis of the country's control system reveals that despite the existence of necessary laws and large control organizations, the system still lacks the necessary cohesion. This is likely due to the fact that in the Law on

Promoting Administrative Health and Combatting Corruption, all managers, supervisors, and direct officials in government institutions are responsible for monitoring the issue of administrative corruption, regardless of the presence of supervisory bodies (Chelbi, 2018; Mousavi Zadeh, 2023).

It is widely recognized that formal oversight, as a preventive tool, is an excellent means of controlling administrative corruption in organizations, agencies, and state institutions. This is because the presence of such official bodies, supported by legal backing, increases the risk of crime commission by employees to the point where the benefits derived from wrongdoing become less than those gained from complying with legal norms, thus preventing criminal behavior (Shahrakipour, 2006).

##### 5. Legal Gap in the Formation of the General Inspection Organization

The first principle in combating administrative violations and corruption is the implementation of prevention. Prevention of corruption is one of the fundamental approaches in reducing corruption. National authorities are considered role models in this regard, as they can act in preventing corruption by implementing regulations precisely, staying away from partisanship, and enacting laws. Therefore, in the initial steps, considering that individuals at the helm of government can also make mistakes, these individuals should be under the supervision of the Inspection Organization. This means that society, alongside the government, should combat corruption and not limit the prevention of corruption to a specific class. The General Inspection Organization of the country is a supervisory body with preventive powers over corruption, playing a decisive role in monitoring and inspection (Mehrvarz et al., 2020).

According to the author, the General Inspection Organization, based on Article 174 of the Constitution, on the one hand, takes necessary actions to ensure the proper functioning of administrative agencies and the correct implementation of laws, and on the other hand, prevents crime and corruption in administrative bodies, as outlined in the Constitution and related laws. Prevention of any crime or corruption in these bodies, in light of the law establishing the General Inspection Organization and its executive regulations, falls within



the scope of the Organization's jurisdiction. However, this duty is limited to the specified tasks in the law, meaning that the General Inspection Organization can take preventive actions only regarding crimes occurring within the organizations and institutions mentioned in the law. Additionally, one of the Organization's duties, besides monitoring the correct implementation of laws, is to oversee the proper functioning of affairs. This duty typically concerns certain improper actions by agencies that lack specific laws or have legal gaps or ambiguities. Such matters are addressed in the Organization's reports through proposed reforms.

Given that Article 11, Clause (C) of the law establishing the General Inspection Organization refers to the word "warning" in the context of combating corruption and supervision by the Organization, we are faced with an unclear statement from the legislator. The issue of preventing corruption is crucial, and its importance clearly highlights this legal gap.

## 6. Conclusion

Any confrontation and struggle against corruption requires the proper conditions and infrastructures, support structures, a strong will, and commitment to the implementation of laws and regulations by both the people and the government. In the context of the rule of law and transparency by the general public and government institutions, these are the key indicators in promoting a society toward development and productivity. Achieving such a society requires overcoming crises and challenges. Therefore, it is necessary to pay primary attention to the challenging aspects in the fight against administrative and financial corruption:

- Planning and policymaking in the form of a comprehensive, macro document serve as a foundation for important decisions and effective actions. Principles such as transparency, the public's right to know, information dissemination, and accountability, grounded in the human rights and citizenship principles of Islam, should be prioritized in the formulation of any policy or program.
- The determination and serious will of officials to implement existing laws and regulations in the fight against administrative and financial

corruption, through adherence to principles and values declared by the leadership and the legal support for providing resources and financial assistance, can significantly contribute to the progress of development programs, administrative reform, financial transformation, and the purification of administrative and executive environments, which are perennial concerns for the public and officials. In this regard, serious attention from officials to structural improvements and financial support for monitoring institutions to execute effective and useful projects is essential.

- Legislation is a tool that each country uses to demonstrate its resolve in the fight against corruption, but pragmatism in adhering to laws is the primary element in combating corruption. Therefore, it is not sufficient to rely solely on legislation, policymaking, and planning; practical steps and gradual execution in alignment with the laws must always be prioritized.
- Some foundational principles in growth, development, and progress have become ineffective due to their repetitive inclusion in regulations, policies, and programs. Looking at issues such as improving productivity, work ethics, meritocracy, fostering competition, abolishing monopolies, combating extravagance, respecting clients, improving methods, and the gap between administrative systems and the achievement of desired goals highlights this problem.
- A non-punitive approach and moving towards decriminalization (instead of criminalization except in special cases), and avoiding rigid, coercive, and mechanical measures, have now given way to cultural foundations, transparency, information dissemination, public opinion, preventive aspects, and positive (affirmative) software-based solutions, which should not be overlooked.
- The inefficient administrative structure, policies, programs, and existing actions are some of the main reasons for the existence and growth of administrative and financial corruption in the country. Factors directly

related to this issue include: instructions, regulations, lack of transparency in laws and regulations, status of resource realization and expenditures, market control policies, trade restrictions, permit issuances, agreements, government subsidies, multi-tiered currency systems, bureaucracy, and levels of government salaries, among others. Given these issues, the legal gap in the law establishing the General Inspection Organization may also be significant in the fight against corruption. Therefore, the need to draft a legal regulation is essential.

### Authors' Contributions

Authors contributed equally to this article.

### Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

### Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

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### Ethical Considerations

In this research, ethical standards including obtaining informed consent, ensuring privacy and confidentiality were observed.

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