

Disciplinary Responsibility of Senior Administrative Leaders

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ABSTRACT

Objective: The importance of this research lies in the fact that it seeks to help businesses guard themselves from ineffective administration policies which might harm them in terms of their image and effectiveness. **Method:** In this particular research, the emphasis will be made on exploring disciplinary accountability among executives and the issues of law connected with that concept. **Results:** Disciplinary accountability is very essential since it safeguards society against misconduct which may lead to wastage of resources. Accountability also builds the confidence and trust between workers and management. Discipline does not involve punishing only but also takes preventive measures through rule formulation. **Novelty:** The question the research will seek to answer is the following: how can disciplinary accountability of executives be made effective without violating legal standards?

INTRODUCTION

Accountability within disciplinary procedures regarding the senior leadership of the administration plays a vital role in ensuring smooth operation of organizations [1]. The discipline ensures proper conduct by leaders holding high positions both in governmental and private spheres. Senior leaders have an influential role to play within organizations since they take decisions, formulate policies, and manage resources. Therefore, such leaders will always be under threat of legal sanctions and administrative measures in case of rule violation [2], [3], [4].

The primary objective of the discipline in accountability is to prevent the occurrence of destructive activities within the organizations and societies. In addition, the discipline helps create trust and transparency within the management-employee relations. Discipline in accountability does not solely entail imposition of sanctions; rather, it includes formulation of policies, guidelines, and definition of responsibilities [5], [6].

With rapid changes taking place in the workplace environment and increased complexities in the legal and economic dimensions, it becomes imperative that organizations should develop disciplinary accountability mechanisms. It is even more necessary in the light of the challenges posed by issues such as favoritism, misuse of power and abuse of authority. The research on disciplinary accountability for senior leadership is vital since it helps in analyzing the dangers associated with leadership positions and exploring ways to maintain discipline and accountability without compromising on efficiency [7], [8].

The research in the field of disciplinary accountability also deals with the interrelationship between law and administration. The importance of an effective system of monitoring and assessment is emphasized to develop a disciplined, transparent and accountable workplace. Thus, the study of disciplinary accountability in relation to senior leaders covers not only legal, but also administrative, ethical and sociological issues [9], [10], [11].

Significance of the Study:

1. Avoidance of bad management which may cause damage to the organizational reputation and performance.
2. To ensure that leadership is always accountable, transparent, and lawful.
3. Streamlining administrative functions and ensuring equality in rule implementation for all.
4. Ensuring discipline in the work environment.

Objectives of the Study:

The study aims to:

1. Define what disciplinary accountability entails for top managers and the regulations that affect this concept.
2. Define the kinds of violations that the senior management can commit.
3. Analyze the measures adopted to curb violations by administration.
4. Make recommendations on how to improve disciplinary accountability to ensure compliance with the regulations.

Research Problem:

It is crucial to ensure that top executives are made accountable for their actions; however, there are many problems associated with accountability that need to be addressed. They include ambiguous guidance, confusion regarding roles, and lack of sufficient monitoring of the upper management. Thus, the issue is as follows: How to hold senior executives accountable within legal and ethical parameters.

Research Methodology:

The study relies on the descriptive-analytical method, which Involves:

1. Explaining the main ideas and terms related to disciplinary accountability and administrative mistakes for top leaders.
2. Looking at the relevant laws and rules.
3. Studying how disciplinary accountability is enforced and the problems that come with it.

RESEARCH METHOD

Topic One

The Nature of Disciplinary Responsibility of Senior Administrative Leaders

Senior leadership, such as general managers or executive officers, bear a dual responsibility: maintaining the internal order of the organization and adhering to official policies, as well as upholding ethical values and professional standards in decision-making. Any breach of this responsibility, whether through direct action or negligence,

may be considered a disciplinary violation. For instance, making illegal choices, misusing power, not properly overseeing work, or being unfair to employees can all lead to disciplinary action [12], [13], [14].

It's important to note that this type of responsibility is different from criminal or civil liability. Its goal is to maintain order in the organization and ensure that top management performs well, rather than just punishing someone for a crime [15], [16]. Disciplinary actions can include warnings, salary cuts, early retirement, or firing, depending on how serious the violation is and how it affects the organization. Such processes tend to be rather formal and include specialized committees to conduct the investigations in order to increase fairness during the process of disciplining these individuals [17].

Simply put, the disciplinary role of senior leaders can be viewed as an effort to achieve the right balance between power and responsibility. It allows managing their professional performance in order for them to make decisions that will bring benefits to society while maintaining legality and ethics in accordance with the specifics of their positions [18].

The first requirement

The concept of disciplinary responsibility

Disciplinary responsibility implies that each employee or member of any organization is assigned with responsibilities and expected to adhere to particular regulations that reflect the philosophy of the organization. In case these responsibilities and regulations are violated, for example, due to negligence in performing responsibilities, lateness, misbehavior, or ignoring instructions provided by the management of the organization, disciplinary responsibility plays a corrective role [19], [20].

In addition to being punitive, disciplinary responsibility seeks to establish order and discipline in organizations. Its objective is to ensure compliance with organizational rules and regulations while protecting the interests of other people and the organization. Generally, it is imposed in accordance with established procedures in which the accused individual is granted the opportunity to defend himself [21], [22].

Disciplinary sanctions take various forms, including verbal or written warnings, salary deductions, or even dismissal in severe cases. The type of sanction depends on the degree of the violation and its seriousness for the institution. In this sense, disciplinary responsibility reflects a balance between maintaining internal order and protecting individual rights. It is not merely a means of punishment but a regulatory framework to ensure adherence and professional conduct [23].

Section One

Definition of disciplinary responsibility and Its importance in the administrative system

Disciplinary Responsibility Is one of the most important concepts in the administrative system, as It represents the framework that ensures public employees' compliance with the rules and duties imposed on them by laws and regulations. It

signifies the employee's obligation to maintain disciplined conduct in performing their duties and to respect the systems and instructions in place, so that any breach or violation of professional or behavioral requirements entails the Imposition of disciplinary sanctions. These sanctions aim to correct behavior and ensure the proper functioning of the public service.

The essence of disciplinary responsibility lies In the idea that public office is not a personal privilege of the employee but rather a public service performed on behalf of the state or public institution and for the benefit of society [24], [25]. In this respect, the worker becomes a participant in the particular legal regime, under which he is required to fulfill certain responsibilities, such as adhering to working time frames, following proper orders, maintaining integrity and impartiality, and maintaining the dignity of the position. As for any failure to perform such responsibilities, it is regarded not as an individual failure or a simple fault but as a breach of trust that has been granted to the worker and damage to the interests of the administration and its citizens [26].

The disciplinary responsibility is a legal tool that involves the authority with powers of appointment to punish the worker for acts of professional misconduct violating the rules of the organization and contradicting the set forth duties of the employee. The form of responsibility to be held accountable for such acts depends on their type – administrative, civil, or criminal.

Disciplinary accountability takes place when an employee does not perform his/her duties satisfactorily through commission or omission. As per Dr. Ahmed Rizk, this is the personal accountability of an individual with regard to a particular act of misconduct or omission [27], [28].

The significance of disciplinary accountability lies in its ability to ensure smooth functioning of the administration without any disruption or acts of mischief that may undermine the delivery of public services. It's not just about punishing employees for mistakes; it also helps prevent problems and ensures that everyone follows the rules. This way, it maintains a balance between what employees are allowed to do and what they are expected to do. It encourages employees to follow laws and regulations out of concern for consequences, while also building trust among citizens that the administration is organized and accountable [29].

Having a clear set of rules for discipline helps improve how well people do their jobs, stops problems or carelessness, and supports the law in organizations. It makes employees feel secure knowing that any wrongdoing will be addressed, and it encourages a work culture that values discipline, honesty, and fairness. This also helps create a positive view of public administration and its role in helping society and promoting development.

Section Two

The differences between disciplinary liability and criminal and civil liability

There is a specific type of accountability related to membership of an organization. It is known as disciplinary responsibility and is connected to relations between the worker and employer. The source of such responsibility is in those regulations and

legislation, which establish what the worker should do, including observing the working hours, complying with legitimate commands, keeping the official information secret and being worthy of the respect for public services. Failing to fulfill those responsibilities means failure to comply with the confidence put into the employee by society, and unlike civil liability, which presumes damage, or criminal law, which requires significant offense, the breach of discipline may be the cause for the responsibility [30], [31].

Unlike that one, criminal responsibility is much broader in its sense and is more severe, since criminal law prescribes such responsibility, since otherwise there would be neither crime nor penalty, according to legal theory. A crime is seen as a threat to everyone, so the government steps in to punish the person who committed the crime. The punishments can be severe, including losing freedom or money, depending on how serious the crime is. That's why there are many protections in place during criminal cases, like the right to a lawyer and public trials, because the consequences can be very serious [32], [33].

By contrast, civil responsibility is grounded in the traditional principle of reparation for harm, whether arising from a personal fault or from a fault attributable to the administration. Its basis is the occurrence of damage and the existence of a causal link between that damage and the wrongful act. For civil liability, it is irrelevant whether the act constitutes a breach of professional duties or a criminal offense; what matters is the injury suffered by the victim. This is why civil liability may coexist with disciplinary and criminal liability at the same time: for instance, a public official who abuses his authority may face disciplinary sanctions from his administration, criminal sanctions if the act amounts to a crime, and at the same time be required to compensate the victim in civil law.

The differences are not limited to the legal basis or the purpose of each type of responsibility but also extend to the parties and procedures involved. In disciplinary responsibility, the dispute is between the administration and its employee, and accountability is generally carried out within administrative bodies or disciplinary councils, with recourse to the judiciary required only for appeals or subsequent review. Criminal responsibility, on the other hand, involves the state, represented by the public prosecution, and the individual, and takes place exclusively before criminal courts, under strict procedures that safeguard the rights of defense [34], [35]. Responsibility in civil law represents an issue that concerns the clash between the injured party and the responsible party in terms of damages. The contrasts can further be illustrated by the kinds of penalties that exist. In disciplinary responsibility, the penalties that may be imposed include warning, reprimand, non-promotion, or even dismissal. This is done to ensure correction and maintenance of proper order [36], [37]. Criminal penalties, on the other hand, have as their purpose the discouragement and punishment of crimes, including prison sentences, fines, or any limitations imposed on the perpetrator. Civil penalties, however, take the form of monetary compensation for a loss.

This contrast can be explained through the different philosophies of the various kinds of responsibility. disciplinary responsibility serves to protect administrative

discipline, criminal responsibility serves to protect public order and administration of justice, and civil responsibility serves to restore harm. Nevertheless, these responsibilities often overlap, such that a single act may give rise to multiple forms of accountability. This concurrence, however, does not amount to double punishment, as each form of responsibility has its own scope and protects a specific interest.

Thus:

Disciplinary responsibility is based on professional misconduct, I.e., a breach of functional duties.

Criminal responsibility is based on the violation of a legal duty sanctioned by criminal law.

Civil responsibility is based on the breach of a legal obligation resulting in harm to others.

As for the constituent elements:

Disciplinary responsibility requires the existence of a disciplinary offense and the status of the offender as a public employee. Actual damage is not a necessary element.

Criminal responsibility is built on three pillars: the legal element (existence of a law criminalizing the act), the moral element (criminal intent), and the material element (the external manifestation of the act).

Civil responsibility rests upon three elements: fault, damage, and the causal relationship between them.

The second requirement

the legal basis for disciplinary liability

The legal basis of disciplinary responsibility is a fundamental issue in administrative jurisprudence, as it constitutes the cornerstone from which the administration derives its authority to hold employees accountable for breaches of their duties. This responsibility is neither absolute nor a product of unlimited discretionary power; rather, it operates within a clear legal framework that subjects it to the principles of legality and the rule of law.

Disciplinary responsibility originates from the notion that public office is not the personal property of the employee but a public service performed on behalf of the state and for the benefit of society [38], [39]. Accordingly, the legislator did not leave the relationship between the employee and the administration to customs or individual discretion. Instead, it intervened through laws and regulations to define the duties the employee must observe, while granting the administration the authority to impose disciplinary sanctions in case of breaches. In this way, the law becomes the direct source of disciplinary responsibility, whether through provisions that set out obligations and duties or through provisions that specify possible sanctions and mechanisms for their implementation [40], [41], [42].

This legal framework reflects the principle of legality, which obliges the administration not to take any action except on the basis of clear legal provisions. There is no disciplinary offense nor punishment without a law that defines it. Even if the legal text in its general form allows some discretion for the administration, such discretion

remains bound by the limits of law and the principles of justice. Here, it becomes evident that disciplinary responsibility differs from criminal responsibility in terms of specificity. In the disciplinary field, it suffices that the legislator sets general rules characterized by flexibility, leaving the disciplinary authority to determine whether certain conduct constitutes a breach of functional duties. This is known in jurisprudence as the principle of "indeterminate disciplinary offenses," in contrast to criminal offenses, which must be clearly and explicitly defined by law.

In addition to legal provisions, the legal basis of disciplinary responsibility also derives from the concept of "administrative authority", which empowers the administrative superior to monitor and hold subordinates accountable. However, this authority is not personal; it is itself governed by law and can only be exercised to achieve the public interest and ensure the proper functioning of the public service. For this reason, disciplinary sanctions are subject to the supervision of administrative courts to guarantee against arbitrariness or abuse of power.

Section One

Laws and regulations governing the disciplinary responsibility of senior leaders

Disciplinary Responsibility: Legal Foundations and Applications

Disciplinary responsibility constitutes a fundamental pillar in ensuring professional and workplace discipline across various sectors, whether public, private, or even freelance professions. Disciplinary responsibility is based on clear legal rules that explain when it applies and how it is enforced. A careful look at these rules shows that disciplinary actions aren't just about breaking the rules; they also consider important factors that balance discipline with fairness [43], [44].

For someone to be held responsible, they need to understand what they are doing and have the freedom to make their choices. This idea comes from the fact that disciplinary actions are meant to be punishments, which require the person to have acted with awareness and intention. As Dr. Khalifa Ali Al-Jubrayi says, "For disciplinary punishment to work, the person must be aware of their actions and have the ability to choose.".

Disciplinary responsibility is characterized by a unique nature that distinguishes it from criminal and civil liability, as it is:

Professional/Occupational Responsibility: It arises within a specific professional or occupational relationship.

Preventive and Corrective: It aims at reform and deterrence rather than revenge.

Independent of Other Liabilities: Disciplinary responsibility may be established even if criminal or civil liability is not proven.

Essential Elements of Disciplinary Responsibility

1. Material Element (Actus Reus)

The material element of disciplinary responsibility refers to the disciplinary fault committed by the individual, whether through action or omission. This fault must be tangible, proven, and specific; intentions or internal thoughts are not sufficient. According to the Public Service Discipline System, a disciplinary violation is defined as

“any act or omission by an employee that constitutes a breach of duties, the commission of prohibited acts under the regulations, or a violation of the honor and dignity of the position .”

2. Moral Element (Mens Rea)

The moral element refers to the culpable Intent of the Individual, which makes them liable for disciplinary action. The act may be done either intentionally or unintentionally (for instance, through negligence and recklessness). According to the law of Algeria, it has been argued that penalizing a public employee due to their mistake does not involve revenge against the employee or coercion. Rather, it involves a legal approach to improving the employee and informing other employees.

3. Legal Element (Legality Principle)

This aspect relates to the existence of a law criminalizing specific actions or inactions, as well as determining the form of punishment. The concept is premised on the notion of legality, whereby employees cannot be subjected to punitive measures for committing acts not prohibited by the law. The administration court can take up matters concerning disciplinary procedures, and guidelines exist for managing such matters.

Procedural and Substantive Guarantees of Disciplinary Responsibility

Principle of Legality

The legality principle plays a crucial role in the area of disciplinary issues. According to this principle, disciplinary offenses and penalties for committing such acts should be stated explicitly in legislation.

Proportionality Principle

Penalties should reflect the severity of the offense committed and its circumstances while ensuring that the purpose of discipline is not punishment but reform. Penalties range from written warnings to dismissal, with clear rules governing the application of each sanction.

Procedural guarantees include the right to defense, the right to appeal, and the independence of the authority responsible for adjudicating the disciplinary case. In the European context, the Council of Europe recommends that disciplinary procedures be Independent of executive and legislative powers and respect the fair trial guarantees outlined in Article 6 of the European Convention on Human Rights [45], [46].

Applications of Disciplinary Responsibility In Different Fields

Disciplinary Responsibility of Judges

Judges enjoy special guarantees protecting their Independence. They cannot be held disciplinarily accountable for their legal Interpretations or evaluation of evidence except In cases of bad faith or gross negligence. European experts emphasize that “Judges cannot decide freely and impartially if they fear disciplinary consequences – especially dismissal – for their rulings.”

Disciplinary Responsibility of Public Employees

Disciplinary responsibility for public employees Is based on breaching job duties, whether inside or outside the workplace. It is defined as “any behavior by an employee

that undermines the dignity of the position and affects the administrative body to which they belong.”

The objective legal basis of disciplinary responsibility rests on essential elements: material, moral, and legal, which ensure a balance between professional discipline and justice while protecting against abuse. Applications vary across judicial, professional, or occupational fields but consistently adhere to substantive and procedural guarantees that uphold the goals of disciplinary accountability without infringing on individuals’ fundamental rights.

The biggest challenge in enforcing discipline is finding the right balance between making sure people do their jobs well and keeping their independence. To achieve this balance, we need clear and fair rules for discipline that respect important accountability standards and are applied in a transparent and fair way.

Section Two

Legal principles governing the application of disciplinary liability

Disciplinary responsibility is a key part of keeping order and running things smoothly in both public and private workplaces. It is different from criminal or civil liability because it has its own rules, goals, and processes. These duties are grounded in some legal doctrines, which are instrumental in balancing work regulations and personal rights. Such doctrines are derived from legislations and judicial decisions, and they aim to protect the organizational interests and ensure that disciplinary procedures are just and equitable. By looking at legal documents and court cases, we can identify important principles that guide how disciplinary responsibility is applied.

Principle of Personal Responsibility

Disciplinary responsibility is strictly personal and cannot be collective or joint. This means that an employee cannot be held accountable for acts they did not commit or for violations committed by others. The administration must prove that the employee personally committed an act of commission or omission that constitutes a breach of their duties. This principle stems from the nature of disciplinary violations, which are based on the employee’s personal fault, similar to criminal liability, which is based on the individual guilt of the accused [47], [48].

Principle of Legality (Legitimacy of Violations and Penalties)

This principle is based on the idea that no disciplinary responsibility exists without a legal text specifying prohibited acts and their corresponding penalties. Disciplinary violations must be explicitly defined in laws, regulations, or internal rules, and penalties must be clear and proportionate to the nature of the violation. Retroactive application of sanctions is prohibited, meaning that an employee cannot be punished for an act that was lawful at the time it was committed [49], [50].

Principle of Independence from Criminal Liability

Disciplinary responsibility is independent of criminal liability. Disciplinary proceedings can occur independently of criminal proceedings and vice versa. The administration does not wait for the conclusion of a criminal case to initiate disciplinary actions. A criminal acquittal does not prevent disciplinary sanctions if the act constitutes

a disciplinary violation. This distinction arises because the objectives and standards differ between the two systems: disciplinary measures aim to maintain workplace discipline, while criminal law aims to punish the offender to protect society.

Principle of Procedural Guarantees (Right to Defense)

This principle guarantees the employee the right to defend themselves against any disciplinary accusation. It includes the right to receive written notification of the charges, access to documents and evidence, submit defenses (orally or In writing), and the right to legal representation. The employee must be granted sufficient time to prepare their defense and be judged by an Independent and Impartial body. Any violation of these guarantees renders the disciplinary proceedings null and void.

Principle of Proportionality of Penalties

The punishment should be in accordance with the seriousness of the offense committed and any circumstances which either lessen or aggravate the offense. This ensures that the administrative officers do not impose unreasonable or unfair punishments. The considerations for these include the intention of the person, recurrence of the offense, environmental circumstances, and the past history of the person at work.

Principle of Individualization of Penalty

The penalty must reflect each employee's personal Involvement in the violation. Even in cases of collective violations, the degree of responsibility of each individual must be determined, and penalties must correspond to their level of participation. Group punishment without differentiation is not permitted.

Principle of Non bis in idem (No Double Punishment)

An employee cannot be punished twice for the same act by the same disciplinary authority. If the employee has been sanctioned for a particular violation, they cannot be punished again for the same act. However, this does not preclude criminal or civil accountability for the same act, as long as the disciplinary case remains independent.

Principle of Consideration of Excuses and Exemptions from Liability

Certain cases exempt the employee from disciplinary responsibility, including:

Death: Disciplinary proceedings terminate upon the employee's death.

Total Health Disability: If a medical report confirms that the employee Is completely unable to be held accountable.

Prescription/Statute of Limitations: Disciplinary action lapses after a set period from discovering the violation without Initiating investigation or trial.

Chronic Mental Illness: Employees not responsible for their actions due to chronic mental illness are exempt, similar to criminal liability.

Provocation: Provocation may be considered when assessing disciplinary penalties, particularly if the employee's reaction was automatic in response to insult or humiliation.

Principle of Expiration of Sanctions

Some regulations provide that disciplinary penalties are removed from the employee's record after a certain period (e.g., two years) from Issuance, unless another penalty Is imposed within that period. This principle allows employees to fix their

mistakes without harming their careers for good. The rules about discipline at work create a system that tries to keep order and productivity while also protecting employees' rights from unfair treatment. Important ideas like personal responsibility, following the law, fair disciplinary actions, proper procedures, fairness, treating each case individually, not repeating punishments, considering reasons for behavior, and the time limits on punishments are not just strict rules – they are important values that courts and managers use to understand and apply discipline rules. Knowing and following these principles is key to ensuring fair treatment in the workplace that everyone respects.

RESULTS AND DISCUSSION

Second topic

Applications and mechanisms of disciplinary responsibility for senior administrative leaders

Disciplinary responsibility of senior administrative leaders represents one of the essential pillars of good governance and transparency. It is not sufficient for ordinary employees to comply with behavioral and ethical rules without requiring leaders to adhere to higher levels of discipline and accountability. This responsibility arises from the fact that leaders possess broad powers in planning, decision-making, and managing public resources. Consequently, failure or negligence may bring dire consequences concerning the stability of the organization and citizens' trust. Due to this reason, laws at both international and domestic levels have been set to ensure that such people are subjected to proper disciplinary actions, which will make sure they are answerable whenever it is found out that they acted beyond their mandate. As per the UN Convention against Corruption, there is need to establish systems which can make public officers answerable when they violate regulations on integrity and transparency.

However, the principles for the accountability of senior managers extend beyond the punitive measures; rather, they include the whole public service structure. The purpose of such principles is to foster a culture of responsibility, to deny any person an opportunity to evade accountability, and to show that regardless of one's status, no employee is immune to disciplinary measures. There should be coordination between national oversight organizations, such as anticorruption bodies and inspection authorities, and international practices suggested by bodies, for example, the United Nations and the Council of Europe, concerning integrity and transparency.

The first requirement

Types of disciplinary violations

What is meant by “types of disciplinary violations” Is a description of the behavioral and functional spectrum that may breach regulatory and ethical rules within the administrative apparatus. Some violations are characterized by their link to Integrity, as they involve exploiting one's position to obtain personal gain or to interfere with the funds or resources of the public entity. In such cases, the matter goes beyond a mere breach of discipline to a direct threat to public trust in the administration. In other situations, the violation consists of behaviors related to poor professional performance or

negligence In fulfilling duties, whichh may obstruct the workflow or weaken the effectiveness of public services. Here, the difference lies in the Impact, which can be functional and technical as much as it is ethical. There are also violations of a procedural nature, linked to non-compliance with the rules and regulations governing decision-making or administrative transactions. These fall Into the category of breaches of formal procedures, even if no intent to cause harm is present. However, repetition or consequences such as financial losses or disruptions can turn such breaches Into a serious matter.

From the psychological and behavioral perspective, some violations arise from deliberate intent, where the offender consciously chooses to break the rule to achieve a known objective. Other violations, however, stem from negligence, carelessness, or Ignorance of job requirements. The evaluation of disciplinary responsibility therefore differs depending on whether intent Is present or absent. There Is also another dimension concerning the relationship between the act and the public interest: actions that affect financial security, Institutional reputation, or the soundness of administrative operations are treated with greater sensitivity compared to behaviors that only affect internal discipline [51], [52].

Section One

Internal and functional administrative violations

Internal administrative violations are intrinsically connected to the Institutional setting where the high-ranking administrative official acts. It should not be considered as dealing with crucial decisions, but with how the administrator handles Internal systems and policies. If the administrator, for instance, fails to follow the internal work system or abuses the powers allocated to him or her, such action does not only show an individual fault but breaks the balance of powers, upon which the organization depends, as well as the hierarchy of its administration. The danger lies in the possibility of such behavior being an example to low-rank workers who will follow the lead, causing violation of the organization's rules. The violation can also take a milder form, such as the prevention of internal control procedures or disregard of other people's mistakes, which can weaken the entire organization.

Unlike procedural violations which simply involve making mistakes in procedure, functional violations are detrimental in carrying out some of the essential functions for leaders at the top levels. Misappropriation of public funds is one such violation where the leaders misuse public funds by allocating such funds in ways that serve their selfish gains or interests. Besides leading to loss of public funds, it is clear indication of a violation against their fundamental responsibilities. Another example is that of employee management where some leaders may fail to hire qualified employees while others may give preferential treatment to certain employees [53], [54].

The ethical considerations are also another important aspect of functional violations. Where there is lenience towards the erring employees, it implies that the leaders have violated the principles of the institution since they undermine the institution's values. Such an ethical consideration of functional violations has similar

weightage to the legal one since it impacts the reputation of the institution in question. The perception created regarding an organization that experiences functional violations among their leadership is likely to be negative since they will be perceived as being corrupt and inefficient.

In this case, responsibility does not belong only to Individuals but also institutions. Violations of functional norms, committed by leaders at high positions, demonstrate the failure of the institution and its control mechanisms. If there are no efficient supervision structures within an organization or there are no ways to report violation confidentially, the leader finds himself in a unique position, where he enjoys almost unlimited power that can be abused. The modern study of public administration focuses on the idea of multi-dimensional responsibility, meaning that the leader should be controlled from inside by inspection agencies, outside by such organizations as parliaments or corruption bureaus, as well as by society and media.

The significance of this approach becomes obvious when we think about long-term effects of functional norm violations. On the level of institutions, this type of behavior leads to low efficiency, higher expenses, and lower competitiveness of provided services. On the level of society, people feel dissatisfaction and lack of confidence toward government. Such behavior may result in resource loss or financial losses because of lack of honesty.

In addressing these violations, we cannot simply impose penalties after they occur. Rather, we must formulate a strategy aimed at establishing an organizational culture characterized by integrity and accountability. The plan must include guidelines on the behavior of leaders, periodic training on governance, and performance appraisal processes that consider ethics and competence. Furthermore, it is essential to create mechanisms that allow subordinates to voice complaints anonymously. This can serve as a preventive measure against possible violations committed by leaders.

Legally speaking, penalties vary depending on the violation's gravity, but leaders receive more severe penalties due to their critical functions. Some penalties may include termination and prohibition from taking up any leadership position. In extreme cases of corrupt and abusive practices, leaders may even be sued.

There is a direct correlation between administrative law and criminal law. The former is the primary mechanism for dealing with problems while the latter is used for resolving major conflicts. In conclusion, rule violations and poor performance by senior officials are not mere oversights but rather evidence of deep-rooted organizational governance problems. For addressing such issues, there should be adequate political commitment, effective supervision, and an environment that encourages ethical behavior. In this manner, senior management will be able to provide positive role models while maintaining public confidence in the administration.

Section Two

Violations related to the abuse of power or exploitation of position

Administrative Violations Related to Abuse of Power or Exploitation of Position

Administrative violations associated with the abuse of power or exploitation of position are among the most serious behavioral and administrative deviations that senior leadership can commit. Their nature goes beyond individual acts to affect the organizational structure of the entire institution. These violations primarily arise from the concentration of authority in the hands of a leader or official who has the ability to control resources, decisions, and administrative pathways, allowing them to exploit their position for personal or group interests at the expense of public interest and legal and regulatory principles. This shows how serious these violations are because they break the trust between workers and the public, make it harder to follow laws and rules, and promote favoritism and nepotism.

Administrative and Behavioral Dimensions:

Abuse of authority happens when leaders make unfair decisions about employees or resources, create unjust rules, or manipulate hiring and promotions for their own benefit. These behaviors are not only harmful to an individual but can also impact the entire organization in such a way that the level of frustration and demotivation becomes a common thing for the workers. It could result in imitation of inappropriate conduct leading to spread of corruption or other minor concerns that are very difficult to rectify. Furthermore, the consequences of such practices may also take the form of poor financial decisions in favor of private projects and unjustified contract awards.

Legal Dimension:

Administrative laws and regulations provide guidelines on the extent of the powers and duties that the government officials have and should be performing. This ensures that the officials perform their powers in the interest of the people. In case they exceed this scope, then it will amount to a breach of the laws, leading to legal action in case there is an abuse of public funds or personal gains from the same. The United Nations Convention Against Corruption stresses the need for holding government officials accountable for exploitation through their powers in the course of their duties in a transparent manner.

Ethical Dimension:

Exploitation of position undermines ethical standards of leadership, as officials are expected to model adherence to organizational values and integrity. When an official uses their authority to impose favoritism or bypass laws, it weakens the internal values of the institution and threatens ethical commitment among employees. This ethical deviation is as serious as legal violations because it damages the trust of employees and the public alike and undermines the institution's ability to achieve its strategic objectives.

Social and Economic Impacts:

These violations lead to a loss of trust between citizens and public administration, negatively affecting cooperation and community engagement with institutions, and increasing individuals' sense of injustice and inequality. Economically, the abuse of authority can lead to the wastage of public resources, disruption of development plans, and reduced effectiveness of public and private investment, especially if the administrative deviation is related to financial projects or contract execution. In the long

term, such violations can damage the reputation of the state or Institution, increasing oversight and accountability costs and weakening the institution's competitiveness nationally and internationally.

Strategies for Mitigation and Prevention:

In order to solve the issues associated with these violations, the following preventative measures should be considered:

1. Increased transparency by establishing internal and external surveillance systems such as inspection units, finance departments, anticorruption bureaus, participation of community and media
2. Establishment of programs of professional development and training aimed at raising the issue of ethics in public services and organization's governance.
3. Creating of an effective whistleblowing system which would guarantee safety of the whistleblower's person.
4. Increasing of disciplinary measures in connection with violation of legislation and making their implementation connected with criminal law if necessary.

The issues mentioned above such as abuse of power and position are crucial obstacles in organizations' functioning. Such practices have negative impact on organizations performance and development, causing inefficiency and distrust. It is necessary to deal with this problem through application of several measures including legislative and administrative solutions, improvement of governance in organizations, promotion of ethical culture of its participants and many others.

The second requirement

procedures and consequences of disciplinary responsibility

It is common for disciplinary liability to be applicable to a public servant or an employee of a particular organization. The reason for this is to guarantee that discipline is maintained within the institution and that the employee conforms to all laws, regulations, and rules. Unlike civil and criminal liabilities, this form of liability does not cover damages or impose a penalty for a crime; instead, its aim is to uphold discipline within the institution and administer penalties on administrative infringements.

A disciplinary process starts when a violation by the employee is discovered or reported. First, the competent authority in the institution collects information regarding the violation through witnesses' accounts, documentation, and any tangible evidence. The purpose of this stage is to form a clear understanding of the facts and determine whether there is a basis to conduct a formal investigation.

After gathering the preliminary information, a formal investigation is opened. This stage constitutes the core of disciplinary procedures, as the employee is given an opportunity to respond and defend themselves. During the investigation, the employee is summoned to present their account and may submit documents or testimony supporting their position. The investigation must be conducted according to the rules of procedural justice, including notifying the employee of the charges against them and their right to legal representation or a colleague if stipulated by the regulations. Upon completion of the investigation, a report is prepared containing the findings and

recommendations. These recommendations may range from taking no action If the employee Is found innocent, Issuing a verbal or written reprimand, or Imposing more serious sanctions such as withholding bonuses, transfer, or even dismissal in severe cases.

The results of disciplinary actions depend on how serious the rule-breaking is. These actions are meant to punish the employee but also to help them improve and stop the same thing from happening again. Consequences may affect promotion, bonus, or reputation, but serious matters will result in dismissal from employment. There are penalties that can be appealed at higher levels or even brought to specialized courts, which is why it is necessary to adhere to legal processes and avoid future legal problems.

Section One

Disciplinary procedures and how to Investigate senior leaders

Disciplinary processes play a significant role in dealing with the personnel while ensuring compliance with the law and regulation of the organization. Such actions contribute to maintaining the proper order and adherence to ethics among individuals. In the case when such measures relate to senior executives, the procedure becomes more sensitive and complex due to their influential position within the organization. Consequently, it should be handled in an appropriate way and with caution.

The disciplinary action begins with a clear identification of a particular violation. In relation to senior executives, such violations may include inadequate leadership skills, abuse of their powers, misconduct in financial and legal matters, and failure to comply with regulations both inside the organization and imposed by governmental bodies. It is necessary to collect relevant information concerning the violation in question objectively.

Afterwards, the process continues into the investigation phase, which is highly delicate as far as senior leaders are concerned. The investigation phase does not simply entail the gathering of data but rather the verification of facts via formal interviews, document and record reviews, and any physical or digital evidence. An external committee, usually composed of specialists in the field, may be appointed to conduct the investigation, thus making the whole process free from any form of bias.

It is vital to keep in mind that in the course of the investigation process, the person under suspicion must always be accorded due process of law. For senior leaders, this stage might involve official hearings, showing documents or evidence that support their case, and having lawyers or legal advisors to help them with their defense.

After completing the Investigation, the decision-making stage follows, which is based on the findings of the investigation and legal and administrative analyses. Disciplinary action may range from Issuing a formal warning, imposing a fine, or reducing responsibilities, up to suspension or termination In extreme cases. For senior leadership, these decisions are usually subject to review by the board of directors or a higher authority to ensure that any action taken is supported by law and internal regulations and Is proportionate to the severity of the violation and its impact on the organization.

A second equally important consideration when engaging with senior management is the maintenance of confidentiality during the investigation. This can only

make the investigation process difficult or even jeopardize the whole process. As such, confidentiality is observed at all times during investigations, where all the documents are treated with confidentiality, allowing access only to people with the authority.

At the end of the process after all the steps involved are followed through, the entire process and decisions made are well documented, indicating the reason behind the decisions together with evidence supporting that particular decision. This will ensure that future references can be made in case of any need to refer back to the matter again.

Section Two

Potential disciplinary sanctions and their Impact on the administrative path of the leader

Dispositions for breaches by organizational leaders should not only be viewed as Individual actions to be penalized but should also be seen as part of an institutional process that carries implications at all levels of the organization and at all stages in the disciplinary process of the particular Individual.

There are legal frameworks and Institutional processes where the type of violation is clearly delineated, together with the nature of the penalty. Disposition is usually determined by the severity of violation of organizational, professional, or ethical codes of conduct, and local regulations. The regulatory framework for leaders also clearly states the distinction between minor and major infractions in terms of the penalty to be imposed. Most importantly, it provides procedures that should be followed before imposing any disposition, which include investigation and hearing of the case of the leader to be disciplined, among others. While such procedures may appear too cumbersome and formalistic, they are vital in protecting the Individual's professional career from untimely harm.

A leader can be affected negatively when a disciplinary measure is imposed upon them. The imposition of such measures may result in a reevaluation of leadership styles as well as the decision-making process and prevent a leader from being proactive and innovative. Additionally, punishments may cause the development of anxiety and harm the reputation of the leader within his or her team.

On the other hand, the use of punitive measures reflects the commitment of the organization's executives to controlling behavior and improving performance. Thus, the organization should seek a balance between maintaining internal stability and performance and dealing with punishments. Intelligent organizations see an opportunity in using these cases for educational purposes. The organization must consider using a punishment as a means of developing leadership skills rather than terminating the future of the punished member.

It goes without saying that the penalties imposed upon leaders can have significant influence on the likelihood of receiving further promotions. In cases when disciplinary actions have involved serious breaches of regulations, one cannot expect such individuals to receive consideration for further positions since they cannot be counted on to act with discipline. At the same time, less severe penalties will only function as a warning signal. Thus, leaders need to address this problem effectively.

Penalties and disciplinary measures can serve as valuable experiences which provide an opportunity for reflection. These issues allow leaders to understand possible consequences of particular decisions and evaluate how their behavior influences organizations. Furthermore, these events teach leaders to balance personal interests with the organizational context and consider consequences carefully. Thus, penalties teach leaders lessons which contribute to their experience and alter their attitude towards their duties.

Finally, such sanctions can greatly influence the opinion of other organizations. Leaders who frequently breach the regulations and face penalties can hardly be considered candidates for job transfer to another company or participation in its activities. Thus, such sanctions not only influence organizations directly but can also affect the entire career of individual leaders.

CONCLUSION

Fundamental Finding: From the research on this subject, it is clear that the process of implementing disciplinary accountability is not confined to sanctions; rather, it includes measures of prevention and creating an environment of compliance with law, rules, and regulations among senior management. **Implication:** Furthermore, invoking this kind of accountability balances power and responsibility, strengthens public confidence in the institution, and protects the interest of the public. **Limitation:** Ensuring discipline is a difficult process owing to vague laws, overlapping functions, and inadequate supervision of senior officials. **Future Research:** Introduce systems for overseeing senior leaders' performances to ensure accountability through periodic reviews.

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