

The legal underpinnings of Jordanian and Iraqi law's administrative penalty systems

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ABSTRACT

Systems of administrative sanctions are crucial legal instruments that govern interactions between the government and people and accomplish justice and deterrence in the administrative sphere. The purpose of this study is to compare the legal frameworks that underpin the administrative sanctions system in Jordanian and Iraqi law, with an emphasis on the legal structures, procedures, and guiding principles for ensuring individual rights. The objective is to point out parallels and divergences and suggest solutions to advance the system in order to attain fairness and openness. Using a descriptive analytical methodology, the study examined pertinent court decisions, legal doctrines, and legislative texts from both nations. In order to determine the similarities and differences between the two systems and to critically assess their efficacy and legal guarantees, a comparative study was also employed. The findings revealed notable parallels between the two systems' fundamental tenets and practices, especially in relation to the legal guarantees and defense rights. Nonetheless, there are significant distinctions in terms of the structure of the legislature, the degree of practical application, and the inclusion of constitutional protections. The findings also showed that both systems need to be reformed in order to improve administrative justice because they have issues with procedure efficacy and implementation transparency. Both Jordan's and Iraq's administrative sanctions systems are getting closer to upholding the values of justice and openness, but they still need to be improved in order to overcome practical and legal obstacles.

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1. Introduction

One of the main foundations that support the structure of public authority is the administrative sanctions system. By applying suitable sanctions to offenders, it empowers administrative agencies to enforce adherence to laws and regulations and preserve public safety, security, and health [1]. The intricacy and development of administrative legislation, as well as the necessity of maintaining a balance between administrative power and individual rights—particularly in view of the legal and legislative changes that have occurred in Iraq and Jordan in recent decades—have led to an increasing demand for research into this system. Understanding the legal underpinnings of

administrative sanctions helps one better comprehend the rules and guidelines that govern their implementation [2]. It also offers a legal framework that protects people's fundamental rights and promotes accountability and transparency in administrative processes. As a result, legal systems are developed and public confidence in governmental institutions is increased [3].

Research comparing the legal underpinnings, constitutional tenets, and individual rights guarantees of the Jordanian and Iraqi systems is still scarce, despite the fact that administrative sanctions in general have been the subject of earlier studies and investigations [4]. The majority of studies just analyze a single case or concentrate on particular legislative elements without making a connection between the two systems. This restricts a thorough and cohesive comprehension of the character and efficacy of administrative sanctions in both nations [5]. A thorough understanding of the problems facing the systems is also impeded by the dearth of comparative studies, which also makes it challenging to suggest well-informed reforms that are in line with the law. Consequently, a thorough investigation that examines and assesses the legal underpinnings of the administrative penalty system in both systems is necessary. This will help close the knowledge gap and improve the ability of legislators and legal experts to create the legal framework in compliance with global standards and best practices [6].

By examining legislative and constitutional principles and legal procedures, this study seeks to assess and analyze the legal underpinnings of the administrative sanctions system in Jordanian and Iraqi law, with an emphasis on the legal guarantees that guarantee the preservation of individual rights. Along with highlighting the parallels and discrepancies between the two systems, it also aims to provide an analytical comparison that points out their advantages and disadvantages and offers ideas for how to improve and fortify them in both nations.

2. Method

Using a comparative analytical method, the study examined pertinent prior research, judicial rulings, legislative texts, and legal norms. To ascertain legal foundations and operating principles, as well as to evaluate the efficacy of legal guarantees, data was gathered from official legal sources, approved legislation, and international reports. The ideas and practices of Jordanian and Iraqi law were compared and contrasted. The goal was to present a fair analysis grounded in a strict scientific approach, with unbiased and trustworthy findings that enhance the legal library and offer assessment instruments that support the advancement of the administrative penalty legal framework in both nations.

2.1. Fundamental Definitions and the Theoretical Framework

2.1.1. The Administrative Sanctions Concept

Without using the criminal justice system, administrative sanctions are a collection of actions and choices made by public administrations or other appropriate authorities when enforcing laws and regulations to control public behavior and safeguard the public interest. In addition to limiting infractions that impact the public interest, such as traffic infractions, environmental infractions, or violations of administrative and economic regulations, the administrative sanctions system seeks to guarantee adherence to the directives and laws issued by the appropriate authorities [7].

One characteristic of administrative punishments is that they are not criminal in nature. The appropriate authorities typically apply them directly in compliance with established protocols. These could include fines, license revocation, work suspension, and other sanctions not imposed by the criminal court. They differ from criminal sanctions in that they are frequently less severe, require simpler and more flexible procedures than court proceedings, and only result in the deprivation of fundamental rights in specific circumstances [8].

2.1.2. The Distinction Between Criminal and Administrative Sanctions

To comprehend the legislative structure governing each sort of sanction, it is essential to compare administrative and criminal sanctions. Every system has unique tenets and foundations that specify its purview, goals, and methods of operation.

The goals of criminal sanctions are to protect society as a whole, discourage crime, and punish the offender for their actions. These include offenses that are punishable by law and carry fines, incarceration, or hadd (a punishment dictated by religion). They are distinguished by rigorous legal processes and call for judicial safeguards and defense rights. They result in severe legal repercussions, like incarceration or denial of rights. They are issued by qualified courts and are under the criminal judiciary [9].

Instead of requiring drawn-out legal proceedings, administrative sanctions seek to control administrative behavior, safeguard the public interest, and restrict infractions that compromise public safety and order. They are unrelated to offenses in the meaning of the criminal law and include administrative penalties like fines, seizure, or suspension. They are less formal and less restrictive of individual rights, yet they frequently adhere to streamlined administrative processes with legal protections. These penalties may lead to prompt administrative action and are intended to control and alter economic or administrative behavior. The appropriate departments, like the passport office, the municipality, or a regulatory body, take them directly [10].

2.1.3. Fundamentals of the Law on Administrative Penalties

A collection of core values that are intended to guarantee equity, openness, and the defense of individual rights form the foundation of administrative criminal systems. Among these principles are [11]:

- The Legality Principle states that only explicit and earlier legal sources may be used to apply or impose administrative sanctions. Penalties or administrative actions cannot be imposed on the basis of unsubstantiated or unreliable assertions or regulations.

- According to the principle of proportionality, the punishment must be suitable for the kind of infraction committed, not excessive or unfair in the particular situation, and take the situation's circumstances and conditions into consideration.

- The Right to Defense, before rendering a judgment or imposing a penalty, the appropriate authorities must provide violators the chance to defend themselves, offer evidence, and, if need, obtain legal advice.

- Fairness and Transparency, to ensure that people's right to due process is respected, procedures must be easily available, understandable, and appealable. Violators must be able to recognize the infraction that justifies the penalty as well as the standards the administration is using to determine the appropriate penalty. The accused's rights to be heard, to present evidence, to seek a defense, and to understand the rationale behind a decision must all be protected by fair and unbiased procedures.

- The principle of one trial, often known as the principle of non-repetition, states that an offender cannot be punished twice for the same offense. In order to avoid arbitrariness and harm to the offender, it highlights the necessity of adhering to the rule that no more than one penalty may be applied for the same offense unless there is explicit legal approval.

- The equality before the law principle: It states that all people must be treated equally when administrative sanctions are applied, without distinction on the basis of gender, origin, or any other illegitimate element. In dealing with criminals, it seeks to provide equity and equal opportunity.

- The principle of confidentiality of procedures: It mandates that, unless it is absolutely necessary, procedures pertaining to the imposition of penalties be private and confidential, protecting the offender's dignity and shielding them from unwarranted criticism or public proceedings.

- The idea of preventive rather than just punishment: With the goal of encouraging compliance and respect for public order through the adoption of practical and efficient procedures that deter violators, it highlights the role of administrative fines in preventing violations rather than only penalizing offenders after they happen.

- The gradual penalty principle states that in order to maintain fairness and efficient law enforcement, severe penalties must be applied gradually, in proportion to the gravity and frequency of the infraction, while also taking the offender's circumstances into consideration.

Therefore, the idea of administrative penalties provides a crucial framework for guaranteeing appropriate administrative performance and serving the public interest in a systematic, well-defined way, all the while upholding the values of justice and openness. To ensure that the law is applied effectively and fairly, which has a positive impact on administrative governance and safeguards the rights of people and society, it is crucial to comprehend the basic distinctions between administrative and criminal penalties as well as the principles that underpin them.

3. Iraqi law's legal underpinnings for administrative penalties

One of the main pillars for guaranteeing the validity of processes, defending individual rights, and attaining administrative justice is the legal framework that forms the basis of Iraq's administrative penalty system. They consist of a collection of laws, constitutional precepts, and court rulings that guarantee the equitable and well-rounded imposition of sanctions while upholding the defense and human rights.

3.1. Texts of Relevant Legislation

Iraq's system of administrative sanctions is founded on a body of laws and regulations that specify the kinds of penalties, the circumstances under which they can be applied, and the steps involved in putting them into effect. The Human Rights Protection Law, the Local Administration Law, and Penal Code No. 111 of 1969—which contains several provisions pertaining to administrative punishments in the context of administrative violations—are the most well-known of these legislative documents. Laws unique to pertinent administrative bodies, such as those pertaining to labor, the environment, transportation, and traffic, also serve as the foundation for the administrative penalties system. These laws impose particular administrative penalties according to the infractions committed [12].

To ensure clarity on the legal limits of the administration's power, it is important to note that Iraqi law is eager to specify the kinds of administrative punishments, such as fines, warnings, or the suspension of operations or activities. Additionally, the law embraces the idea that sanctions can only be applied in accordance with a precise legal document that outlines the terms of the penalty, how it will be applied, and the steps involved [13].

3.2. Principles of the Constitution and Regulation

Administrative punishments are governed by constitutional principles, which form the foundation of the Iraqi legal system. The 2005 Iraqi Constitution upholds the rights and liberties of its citizens and places a strong emphasis on the right to defend oneself and the idea of legitimacy when sanctions are applied. The Constitution states in Article (19) that "rights and freedoms are guaranteed." By guaranteeing everyone the right to access all information pertaining to state operations, Article (22) of the Constitution strengthens the concepts of accountability and transparency [14].

A key premise is the legality of punishment, which states that no punishment can be applied unless authorized by law while upholding the freedom to defend oneself and the rule of law. The law also mandates that competent departments apply penalties in accordance with legal safeguards, meaning they cannot apply arbitrary or unlawful penalties.

3.3. The Right to Defense and Legal Processes

The processes for imposing administrative punishments are highly valued in Iraqi law. The accused's rights to defense, including the ability to report the infraction, conduct an investigation, provide evidence, have their comments heard, and enter a plea before the appropriate authorities, are guaranteed by these procedures. In order to maintain the integrity of administrative decisions, the law mandates that fines be administered through official documentation, formal procedures, and documentation.

Consolidating the principle of administrative justice, the Administrative Court or the appropriate authorities have the authority to decide objections or appeals against administrative decisions. They grant the right to appeal within a given time frame to guarantee the right to review and evaluate the decision [15].

3.4. Legal Protections and Individual Rights Protection

When enforcing administrative sanctions, Iraqi law is eager to offer legal safeguards to safeguard persons' rights. The accused's right to a complete defense, either directly or through an attorney, is one of these guarantees. The right to view all records and proof pertaining to the infraction. The ability to challenge the punishment in front of the appropriate authorities within a predetermined time frame. The ability to challenge unfair or unlawful judgments before the administrative judiciary or the appropriate administrative authorities.

Ensuring the attainment of justice, lowering the likelihood of administrative rights violations, and boosting public trust in the administrative legal system overall all depend on the presence of legal guarantees [16].

4. A comparison of Jordanian and Iraqi legal systems' penal systems

Through an analysis of the legal frameworks, constitutional principles, procedures, and legal guarantees implemented in both systems, this study seeks to identify the similarities and differences between the legal systems for administrative penalties in Jordan and Iraq. Understanding the coherence and stability of the legal systems in both nations, as well as their compatibility with international administrative justice principles and human rights standards, depends on this analysis [17].

4.1. The Jordanian and Iraqi systems are similar

A. Constitution-Based Legal Underpinnings

The legality principle is enshrined in the constitutional framework that both systems operate within. The preservation of human rights, the right to self-defense, and the requirement that administrative sanctions be administered in compliance with legal documents that explicitly outline their terms are all emphasized in the constitutions of Jordan and Iraq. Similar to the Jordanian Constitution of 1952, the Iraqi Constitution of 2005 guarantees the accused the right to a defense and gives the appropriate authorities limited, lawful authority to inflict punishments [18].

B. Their Dependency on Particular Laws for Administrative Penalties

The types of administrative penalties, the situations in which they are imposed, the procedures, and the authorities in charge of issuing them are all covered in detail in both laws. Penalties including fines, warnings, suspension, or administrative closure are all spelled out in detail in these writings.

C. The Legality Principle

Both systems are dedicated to using the legality principle when imposing punishments, meaning that no action may be taken unless it is supported by a legal document. The action must be

restricted to a particular framework that upholds respect for individual rights and forbids violations of those freedoms.

D. Defense Rights and Legal Process Protection

The rights of the accused or violator are protected in both systems by informing them of the infraction, giving them the opportunity to present evidence, hearing their defense, and only applying the penalty following the conclusion of just legal proceedings [19].

4.2. Disparities between the Jordanian and Iraqi systems

A. Foundations of Law and Regulation

- In Iraq: A number of documents and laws that impose punishments independently are part of the administrative penal system, which includes laws pertaining to labor, health, transportation, environmental protection, and other topics [20].

- In Jordan: Each entity is also subject to particular legislation, such as the Environmental Protection Law and the Labor Law. Legal regulation, on the other hand, is more centralized, with precise and well-defined regulations governing the consistent application of sanctions, especially in administrative law and the Administrative Law of the Administrative Court.

B. Organization and Supervision of Administration

- In Iraq: Administrative penal decisions are made by a variety of authorities and administrations, and their mandates may be vague or poorly coordinated.

- In Jordan: The presence of the State Shura Council and the appropriate judicial bodies, which function in concert to guarantee that sanctions are administered in compliance with the law, define the administrative organization.

C. Human Rights and Legal Protections

- Iraq: Human rights are protected by the Constitution, although occasionally they are violated, particularly in emergency situations or other extraordinary situations.

- Jordan: adopts a human rights framework that is more open and encouraging. More robust legal protections are offered by Jordanian law, which also has efficient grievance, appeal, and defense procedures.

D. Penalties' Range and Procedure Length

- Iraq: A deficient legal and administrative infrastructure may result in hurried procedures or inadequate investigations.

- Jordan: Procedures place a strong emphasis on openness and following the law, and they have deadlines for both sanctions and procedures to prevent violations of people's rights [21].

4.3. Both systems' advantages and disadvantages

A. Strengths in Iraq:

- Different rules with different penalties that are suitable for different sectors.
- a foundation for the constitution that prioritizes rights protection [22].

B. Weaknesses in Iraq:

- Inadequate coordination amongst responsible authorities can occasionally result in jurisdictional overlap or uneven punishment administration.
- Weak oversight or improper use of the legal system can lead to some human rights breaches.

C. Strengths in Jordan:

- the presence of a cohesive, integrated legal system that protects the accused's rights and streamlines processes.

- the presence of efficient administrative and judicial bodies that uphold strong standards of transparency and oversight.

D. Weaknesses in Jordan:

- Notwithstanding the statutory framework's strength, issues with the equitable administration of justice may still arise, particularly in situations involving discrimination or abuse of authority.

- The necessity for drawn-out official procedures can occasionally cause delays in procedures, which slows down investigations and case adjudication.

Thus, it may be concluded that the goal of administrative justice that upholds individual rights and advances legality is shared by the Jordanian and Iraqi systems. Nonetheless, there are significant variations in terms of structure, assurances, and execution, which are indicative of the characteristics of each system and the degree of judicial and administrative advancement. To improve legal protection and realize the idea of effective justice in both nations, reforms must go on [23].

5. Results and Discussion

In order to identify parallels and divergences and evaluate the advantages and disadvantages of each system, this section compares the legal underpinnings of administrative punishments in the legal systems of Jordan and Iraq. These elements were determined by comparing legislative texts, constitutional principles, legal processes, and the legal assurances offered by each statute while accounting for the administrative, cultural, and historical factors that influenced each nation's legal system.

5.1. Similarities

The underlying ideas guiding administrative sanctions are one of the many areas where the Jordanian and Iraqi systems are similar. Jordan and Iraq both uphold the legality principle, which states that an administrative penalty can only be applied in accordance with a precise and unambiguous law language. This illustrates their dedication to shielding people's rights against arbitrary or irrational interpretations. Since the accused is given the chance to examine the evidence, make their defense, and consult with legal representation throughout the proceedings, both statutes also concur on the necessity of upholding the defense's rights.

The idea that administrative standards can be corrected and regulated through legal processes that guarantee fairness and openness is likewise adhered to by both systems. The imposition of sanctions usually necessitates proof and the authority of a capable administrative body, all the while abiding by regulations that protect citizens' rights rather than just having complete discretion. In order to prevent excessive or unmanageable penalties, there is also a commitment to the principle of proportionality, which states that the penalty should be commensurate with the kind and seriousness of the offense [24].

In terms of legal guarantees, the systems are comparable in that they offer safeguards to guarantee the protection of rights, such as the need to notify the employee or violator of the procedures, the duty to give them a chance to appeal, and the requirement to make sure that administrative authority is not abused or misused. These clauses demonstrate how much Jordanian and Iraqi law recognizes the value of human rights liberties and the necessity of enlisting the help of administrative and oversight bodies to uphold the rule of law.

5.2. DifferencesA

Regarding the distinctions, they are apparent in certain areas of legislation and regulation. Regarding the availability of stronger and more open legal frameworks, the Jordanian system is unique. This is especially true of laws like the Administrative Committees Law and human rights laws, which provide substantial assurances of legal protection.

Since there are numerous laws and regulations pertaining to administrative sanctions in Iraq, legislative texts are occasionally characterized by ambiguity or overlapping jurisdictions. Access to complete justice may be hampered by cases of excessive selectivity or discretion as well as a lack of stringent legal procedures. Due to inadequate oversight or, occasionally, a lack of human awareness, several executive authorities have also failed to develop procedures that protect the rights of the accused [25].

The degree to which criminal assurances are implemented varies throughout the systems as well. The Jordanian system is more advanced in preserving human rights, particularly via its dedication to international human rights values and legal procedures, while Iraq continues to experience obstacles in attaining this due to the political and security environment at times.

5.3. Both systems' advantages and disadvantages

On the strength front, Jordanian laws are distinguished by their strong regulations, lucid language, and high levels of transparency in administrative punitive processes. They also place a strong focus on individual rights and have strong institutions in place to oversee implementation and guarantee adherence to the law. They are distinguished by a logical legislative framework that connects international human rights norms with constitutional principles, strengthening the legitimacy of the legal system and boosting public trust in it.

Iraq, on the other hand, has a number of problems, such as a weak legislative system and occasionally poor administrative coordination, which can result in abuses or arbitrary interpretations. Nonetheless, the Iraqi system has certain advantages, including its openness to change the law, its efforts to create legal frameworks and solidify human rights concepts, particularly after 2003, and its utilization of regional and international experience to enhance legislation.

Some of the deficiencies stem from unclear language or inadequate processes, which make it difficult to apply punishments fairly and accurately and cause issues in the courts and in administration. Furthermore, in certain situations, the lax enforcement of human rights guarantees allows for the violation of individual rights, particularly in uncertain political and security environments [26].

5.4. Issues and Prospects for the Administrative Penalties System in the Future

The administrative penalty system has many obstacles that impact its efficacy, equity, and adaptability to societal and legal shifts in the context of recent legislative and administrative advancements. Examining potential solutions to these issues in the future necessitates a thorough investigation into the general, procedural, and legal concepts that need to be reinforced. A thorough description of these difficulties and possible opportunities is given below, with an emphasis on Iraq and Jordan as case studies.

5.4.1. Challenges to the Administrative Penalties System from a Legal and Practical Perspective

A. Legal Distortions and Legislative Issues

The absence of a cohesive and all-encompassing legislative framework that clearly outlines the authority and jurisdiction of the appropriate authorities in applying administrative sanctions is one of the biggest obstacles. Legal writings are frequently ambiguous or overly general, which can result in conflicting interpretations and jeopardize the principles of legality and non-retroactivity of penalty. Additionally, some laws have flaws that permit the capricious or unjust application of

administrative penalties, endangering individual liberties and causing the distinction between administrative and criminal penalties to become more pronounced [27].

B. Individual Rights Violations and Justice Undermining

Notwithstanding the existence of legislative protections, human rights protection is occasionally violated in practice, especially when it comes to the right to defense, acceptable judicial processes, and conditions of temporary imprisonment. Individual rights are thus denied, and there are insufficiently strong systems in place to keep an eye on and stop unfair or unofficial practices.

C. Insufficient Accountability and Transparency

In addition to the lack of communication or education regarding the rights of those impacted, inadequate oversight and monitoring systems for the application of sanctions lead to procedural justice issues and ambiguous punishment standards, which erode public trust in the legal system and promote fundamental rights abuses.

D. Intersection between the judicial and administrative systems

One of the biggest problems is the overlap between judicial and administrative authority. A lack of efficient coordination and a multitude of specialists result from decentralizing the imposition of punishments. This weakens people's legal protection by making it harder to provide consistent standards and a single reference when applying penalties.

E. Innovations in Technology and Contemporary Issues:

The advent of sophisticated technological tools and techniques has made it necessary to update legislative texts in order to protect opponents' rights and personal data, particularly in light of punitive systems that depend on electronic communication and technical procedures. Legislation and regulatory frameworks must be developed for this [28].

5.4.2. Ideas for Improving Jordan's and Iraq's Legal Systems

A. Creating and revising laws in a way that conforms to international standards

Priorities include updating laws and bringing them into compliance with core human rights principles and creating a regulatory framework that outlines the authority of appropriate authorities and the criteria that must be met when administering administrative sanctions. Ensuring the right to defense, accountability, and transparency should all be components of legislation.

B. Enhancing Judicial Oversight and the Oversight Function

In order to ensure fairness in the application of penalties and minimize unforeseen or arbitrary errors, independent courts or committees that specialize in reviewing and annulling administrative penalties that do not comply with the law should be established. Additionally, national oversight institutions and human rights bodies should be activated.

C. Developing Fair Administrative Practices and Justice Principles

It is necessary to create legal processes that provide the right to appeal, open investigations, and the involvement of impacted parties in the process of seeking redress. In addition to providing suitable means for monitoring the imposition of fines by competent entities, clear instructions must be published regarding the timing and status of the procedures.

D. Increasing Individual Rights Awareness and Community Awareness

Promoting media outlets, workshops, and legal education and awareness initiatives can help people understand their rights and responsibilities when imposing administrative penalties, which will help to lower infractions and increase procedural fairness and transparency [29].

5.4.3. Prospects for the Future and Development Views

A. Creating Integrated Electronic Systems and Using Modern Technology

By streamlining processes, guaranteeing transparency, and offering a trustworthy digital record of decisions and procedures that is simple to monitor and review, contemporary technologies like artificial intelligence and electronic systems are anticipated to significantly improve the process of imposing administrative penalties.

B. Improving International and Regional Collaboration

In order to improve the effectiveness of the administrative penalties system and bring it into compliance with international human rights standards, collaboration among judicial systems, international organizations, and human rights organizations can help create uniform and applicable standards as well as exchange best practices and experiences.

C. Embracing the restorative justice and rehabilitation concept

In the future, less emphasis will be placed on conventional punishments in favor of more successful models built on social integration and reform. Instead of using harsh punishments that might have the opposite effect, administrative sanctions are incorporated into a framework aimed at rehabilitating offenders.

D. Creating adaptable and amendable legislation

In order to guarantee that the administrative penalty system stays applicable and efficient throughout time, it is advised to create adaptable regulations that permit ongoing development and updating in accordance with social, technological, and legislative changes [30].

According to the aforementioned, the Jordanian legal system exhibits a greater degree of organization and maturity, better safeguarding legal guarantees and human rights, and a discernible evolution within the framework of institutions and the rule of law. Iraq, on the other hand, has difficulties in creating laws, establishing oversight organizations, and coordinating legislative and executive branches to assure that administrative sanctions are applied in a way that ensures justice and legal protection.

One could argue that Iraqi legal systems urgently need to be developed and modernized in accordance with international standards, while also improving openness, guaranteeing human rights, and fortifying oversight organizations. To ensure the equitable and efficient execution of fines, it is also advised to embrace the best practices of the Jordanian system, give more authority to capable authorities, and educate departments and stakeholders about the law.

6. Conclusion

In summary, this study highlights the value of comparative research in comprehending the legal frameworks guiding the administrative penalty system under Jordanian and Iraqi law. While pointing out distinctions with regard to legal process, individual rights guarantees, and the degree to which legislative texts adhere to international constitutional and legal norms, the results also showed many commonalities that demonstrate a common desire to advance the values of justice and transparency. The study's conclusions emphasize the necessity for ongoing development and modernization to keep up with societal and legal changes, while also highlighting the close relationship between the stability and efficacy of the administrative penalties system and the availability of legal guarantees that safeguard violators' rights.

The study also showed that in order to ensure more equitable and transparent systems, Iraq and Jordan must both endeavor to create adaptable legal systems that prioritize the right to defense and transparency while utilizing the function of judicial and administrative oversight. These issues include unclear texts and procedures, as well as inadequate oversight mechanisms. Our findings add to the research's scholarly and applied worth by providing a fair assessment of the ways in which

legal systems can help create an efficient administrative punishment system that upholds individual liberties and serves the general welfare.

As a result, this study not only examines the legal underpinnings but also creates opportunities for future discourse that may center on updating legislation, utilizing technology, and strengthening legislative collaboration between the two nations. The goal is to create a more equitable and open administrative punishment system that upholds human rights and reflects society goals. In order to create more efficient legislative frameworks for administering administrative penalties, researchers and government agencies must make use of the findings and insights gained from these comparisons.

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