



Examples of crimes resulting from the omission of agents and the basis for their criminalization

Niloufar Moradi¹, Farhad Mirzaei^{2*}, Esmaeil Abdollahi³

¹. PhD student, Department of Criminal Law and Criminology, Bushehr Branch, Islamic Azad University, Bushehr, Iran.

². Assistant Professor, Department of Criminal Law and Criminology, Bushehr Branch, Islamic Azad University, Bushehr, Iran (Corresponding Author).

Email: mirzaei@iau.ac.ir

³. Assistant Professor, Department of Criminal Law and Criminology, Bushehr Branch, Islamic Azad University, Bushehr, Iran.

Abstract

Omission of official acts means refusing to perform legal or administrative duties assigned to a responsible person by law or a superior authority, and in the event of loss or damage, it can be considered a criminal offense. This phenomenon, especially in executive and government agencies, causes widespread social, economic, and political harm and plays a significant role in undermining public trust and the legitimacy of governments. The purpose of the research is to analyze the various dimensions of omission of official acts, identify the bases for its criminalization, and examine the effects and consequences of this type of behavior in the governance structure. Also, by comparative examination of other legal systems, an attempt has been made to provide solutions for reforming domestic laws and promoting accountability. The research method used in this study is descriptive-analytical, using library resources, legal documents, and expert perspectives. The results obtained show that criminalizing the omission of actions by officials is not only a tool for combating administrative evasion, but also a necessity for maintaining public order, social trust, and promoting transparency in the administrative and governance system. Reviewing and amending existing laws, developing more effective enforcement guarantees, and strengthening a culture of accountability among government officials are essential strategies for combating this phenomenon.

Keywords: Criminalization, omission, official, criminal liability, government employees

Received : 07/11/2023

Accepted : 11/12/2023

Published : 27/12/2023

Introduction

Omission of action by officials means the refusal to perform legal or administrative duties that have been directly assigned to the official by law or higher authorities. In criminal law, this omission can be described as criminal if it results in harm or damage to individuals or society. Examples include failure to report a crime, refusal to comply with judicial orders, or failure to provide public services. This phenomenon not only causes social and economic losses, but also weakens public trust and reduces the legitimacy of government institutions.

In today's societies, government officials play a key role in ensuring the efficiency of the legal and administrative system. The omission of these individuals can have serious consequences for public order, civil rights, and people's trust in the government. Given the increasing cases of some officials ignoring their legal duties, examining the legal foundations of criminalizing omission of action and accurately identifying its examples is of great importance from the perspective of ensuring justice and accountability. This study can also be effective in amending existing laws and formulating preventive policies.

Negligence by agents means refusing to perform legal or administrative duties assigned to them, which can be considered criminal if a loss occurs and can have harmful social, economic, and political effects. This study aims to analyze and explain various aspects of negligent acts by agents and emphasizes the need to maintain public trust, promote accountability, and reform legal structures. The main themes of the study include the legal and philosophical foundations of criminalizing negligent acts, examining its examples and effects in the executive and administrative systems, and comparative analysis with other legal systems.

The research method in this study is descriptive-analytical. In the first stage, theoretical data is collected using library resources and legal documents. Then, by analyzing the content of laws, judicial procedures, and comparative studies, the issue is comprehensively examined and evaluated. In addition, the opinions of public and criminal law experts will be used to provide corrective solutions.

1. Conceptualization of the Criminology of Agents' Neglect

The necessity of explaining the concept of criminalization is because understanding this term provides a basis for the legal analysis of specific behaviors such as the omission of agents. Without a proper understanding of the nature and criteria of criminalization, it is not possible to correctly distinguish the boundary between the omission of a punishable act and the omission of an act that cannot be prosecuted. Therefore, we will provide explanations in this regard below.

1.1 The concept of criminalization

Criminalization is a process in which the legislator, using the tools of the law, defines a specific behavior that previously lacked a criminal description as a crime and provides for criminal enforcement. This process is usually carried out in order to protect public interests, social order, public morality, and public security (Ashouri, 2011, p. 112). In other words, criminalization is a tool in the hands of the legislator to prohibit and punish behaviors that he or she deems to be detrimental to public interests or social order (Jafari-Lengroudi, 2005, p. 216). This action must be carried out based on principles such as necessity, proportionality, and legitimacy; because the legislator's entry into the criminal field is only permitted in cases where other methods of dealing with harmful behaviors are not sufficient or effective (Rostami, 2016, p. 78). From the perspective of criminal policy, criminalization should not be subject to personal tastes or fleeting political interests, but should remain faithful to criteria such as the principle of minimality of criminal law, the principle of harm, and the principle of public interest (Rostami, 2016, p. 84). Also, in the process of criminalization, attention should be paid to the fundamental principles of human rights, human dignity, and justice so that the criminal system enjoys social legitimacy (Ashouri, 2011, p. 118). It should be stated that the definition and determination of instances and punishments belonging to each of the concepts of violation and crime in laws and regulations means violation and criminalization; but violation and criminalization are two completely different and separate concepts (Farrokhi, 2017, p. 1). The author believes that criminalization means the legal process in which a specific behavior that was previously permitted is recognized as a crime and a punishment or criminal consequences are determined for it. In fact, criminalization is the change in the legal status of certain behaviors from permissible to criminal, which is carried out by legislative or judicial authorities.

2.1 The concept of leaving the verb

The precise definition of "omission to act" is important because it is considered the basis for the legal analysis of passive behaviors of agents. This definition clarifies the boundary between ordinary inaction and criminal omission to act and allows for the determination of criminal liability. Therefore, we will provide some explanations in this regard below.

2.1.1 Definition of the verb "to leave"

The word "abandonment" literally means to abandon, give up something, and abandon something or someone; and "verb" also means to do something, move, or act. In the combination of "abandonment of verb", its meaning refers to the refusal to do something or to behave in a way that should be done. In the terminology of criminal law, "abandonment of verb" is a negative criminal behavior that is realized in the

form of refusing to perform a duty that the law has imposed on a person. In other words, abandonment of verb is applicable when a person refuses to perform a specific duty despite a legal obligation (Hajj Ali Akbari, 1400 AH, p. 24). In addition, abandonment of verb is defined as the refusal to perform a duty that is the subject of a lawmaker's decree; in other words, what the lawmaker intends is the refusal to act regardless of its effects (Ardebili, 194 AH, p. 304).

2.1.2 Types of verbs

Negligence in criminal law is divided into two general types: negative negligence and active negligence. In negative negligence, the perpetrator does not take any action against an incident that is about to occur. In other words, by his inaction, he refrains from intervening that could have prevented the incident. For example, an observer who observes a child drowning but refuses to help him has committed negative negligence. In contrast, in active negligence, the individual prepares the ground for the incident by performing a specific action; meaning that he intentionally removes the obstacle that prevented the incident. For example, a nurse who cuts off a patient's breathing system and as a result, the patient dies due to the lack of oxygen is an example of active negligence. In this case, although the perpetrator apparently performs an "act", this "act" is considered a form of dereliction of duty from a criminal perspective, because it is based on refusing to fulfill the legal duty to protect the patient's life (Ghorchi Beigi, 2019, p. 198).

3.1 Broker concept

Without a clear definition of the concept of agent, it is not possible to accurately determine who is considered a public official or official and, consequently, who will be subject to legal obligations and criminal guarantees resulting from the abandonment of their legal duties. Therefore, we will explain and elaborate on it below.

3.1.1 Broker definition

In law, an agent refers to a person who acts on behalf of another person (usually called a "principal"). This concept is very important in contracts and legal relationships. In another definition, an agent is a person or organization that establishes the necessary connection between the buyer and the seller and receives a commission in return. In addition, an agent in the concept of public law refers to a person who, on behalf of the government, is assigned to perform executive or administrative duties in government or public institutions. This term has a general meaning and includes officials such as ministers, managers, employees, officers and any person who plays a role in the administration of public affairs in some way (Safaei, 2010, p. 87). In administrative law sources, an agent is someone who, by law or contract, is responsible for carrying out a public mission or duty, and whose actions are somehow attributed to the government or its affiliated institution (Katouzian, 2005, p. 102). Therefore, an agent may be both a person with an official position and an ordinary government employee who is responsible within the framework of regulations. The precise definition of this term is important because in issues such as omission of action, identifying instances of agents is a necessary condition for determining their legal and criminal liability.

3.1.2 Types of brokers

The concept of "broker" in various fields of law, economics, management and social sciences refers to an individual or entity that acts on behalf of others. In law, a broker refers to people who act on behalf of another person or entity in legal and regulatory matters. For example, lawyers appear in courts as legal brokers on behalf of their clients, and commercial brokers act on behalf of companies in commercial transactions (Mohammadi, 2016, p. 75). In economics, a broker acts as an intermediary; such as stock brokers who act on behalf of investors in buying and selling stocks and securities (Sadeghi, 2017, p. 134), or insurance brokers who offer insurance products to customers on behalf of insurance companies. In the field of management, an agent refers to individuals who act as representatives or managers in organizations and have specific responsibilities to achieve the goals of the organization. In addition, in the social sciences, social agents include individuals who play a role in social and cultural processes, such as social activists or community leaders who influence the behavior and decisions of others (Sadeghi, 2017, p. 142). In public law, an agent refers to individuals who act on behalf of the government and to implement public policies

and programs at various administrative and executive levels (Mohammadi, 2016, p. 79). In general, understanding the concept of "agent" in these fields is of great importance and can help improve relationships and interactions in various fields.

4. Examples of crimes resulting from agents' omissions

Crimes arising from the omission of agents refer to actions in which agents (such as government officials, directors, or any person with legal responsibility) fail to perform their duties, resulting in damage or loss. These types of crimes can be examined in various fields, including criminal law, administrative law, and public law. Some important aspects of this issue are discussed below.

4.1 Failure to report a crime

Many crimes committed by individuals are committed in the course of performing their legal duties. Such crimes include accepting bribes, breach of trust, embezzlement, illegal possession of government property, collusion in government transactions, etc. Therefore, failure to report a crime can be considered as one of the examples of crimes resulting from the omission of actions by agents. According to the law, government agents or individuals working in executive positions are required to report the occurrence of certain crimes and, if they observe or become aware of them, to take legal action. If the agent refuses to perform this legal duty and does not report the crime to the competent authorities, this can be an example of omission and even abuse of office. Therefore, one of the most important problems that the criminal justice system faces today is the problem of individuals failing to report crimes to judicial officers and judicial authorities (Saffari, 2015, p. 59). It should be noted that sometimes omission of an act is a violation of legal duties; this type of omission of an act is called a violation of duty to act. In simple terms, if a government manager learns of a crime committed by one of his subordinates in any possible way, and if he does not report the commission of this crime to the competent authorities, he himself has committed a separate crime. Article 606 of the Penal Code states that "Any of the heads, managers, or officials of the organizations and institutions mentioned in Article (598) who is informed of the commission of the crime of bribery, embezzlement, illegal appropriation, fraud, or the crimes subject to Articles (599) and (603) in the organization or institutions under his management or supervision and does not report the matter to the competent judicial or administrative authorities, as the case may be, will be sentenced to imprisonment from six months to two years and temporary suspension from six months to two years" (Ghorchi Beigi, 2019, p. 198). Therefore, agents who are legally required to report crimes may be considered criminals if they fail to do so. Therefore, in different legal systems, failure to report crimes by agents can result in penalties such as dismissal from government service, imposition of financial fines, or other legal sanctions.

4.2 Failure to comply with judicial orders

If officials refuse to carry out the orders of a judicial authority and this leads to losses, they may be held liable. In this regard, Article 576 of the Islamic Penal Code (Penalties Section) stipulates: "If any of the office-holders, employees, and government and municipal officials, regardless of their rank or position, abuses their position and prevents the execution of written government orders, the implementation of state laws, rulings or orders of judicial authorities, or any order issued by legal authorities, they will be sentenced to dismissal from government service for a period of one to five years" (Ghorchi Beigi, 2019, p. 198). In this article, the term "office-holder" refers to a person who holds a position and responsibility in executive bodies and is responsible for carrying out legal duties in an official capacity (Zeraat, 2018, p. 17). The term "abuse of office," which some have considered equivalent to "abuse of power," means the illegal exploitation of an official position to commit acts such as desecrating a home, opening mail without authorization, and the like. Of course, committing this crime is not limited to high-ranking officials, and even a simple government employee would be subject to it if the conditions stipulated in the article were met. Regarding the word "officer," it seems that the meaning of this article is any person who is officially assigned by the government to perform a specific task. Therefore, public service officers will not be subject to this article; because in the terminological sense, they are not considered "government officers." Also, "mayor," as one of the examples covered by this article, is an officer from the Ministry of Interior who is appointed to manage city affairs and operates under the supervision of the municipality. The word "orders", which is the

plural of “command”, is defined in the terminology of the principles of jurisprudence as a request to do or refrain from doing something by a higher authority. In Article 576, the orders referred to have two distinct characteristics: first, they must be in writing and second, they must be issued by official government officials (Zeraat, 1377, p. 17).

4.3 Lack of public services

Today, the most important feature of administrative law is the provision and delivery of public services. Public services that are aimed at meeting public interests are among the goals of public law (Abbasi, 2010, p. 147). Some believe that the legitimacy of the government depends on the amount of public services it provides. The concept of public services has undergone changes over time; but the concept of public services has remained the spirit and source of inspiration of administrative law (Mohammadnejad, 2016, p. 104). It should be noted that failure to provide public services is another example of crimes resulting from the omission of actions by agents, in which government agents refuse to perform their duties in providing public services to the people. In many legal systems, agents are required to perform specific duties, which can include providing social, health, educational, legal, and other services necessary to meet public needs. The principle of continuity of public services is not explicitly mentioned in the constitution; But it seems that this principle can be inferred from the concepts of principles 63, 68, 119, 130, 131, 132 and 135. According to these principles, government officials are obliged to carry out their responsibilities with certain formalities and to carry out their duties continuously and continuously. Therefore, it is not possible for these officials to resign or leave the service without observing the formalities stipulated in the constitution. Therefore, if a government official refuses to provide these services, this behavior can be recognized as neglect of duty. For example, if a government official is responsible for registering in a public service system and refuses to do so, or fails to perform his duties in critical situations when necessary, this action can lead to violation of people's rights and harm to public interests. In such cases, the official not only has violated his legal duties, but may also be criminally liable.

5. Fundamentals of criminalizing the omission of agents

The study of criminalization of omission of action by government officials analyzes the factors that can lead to failure of government officials to perform their legal duties. This is of great importance, because omission of action by government officials can lead to serious consequences for society. These factors are examined below.

5.1 Maintaining public trust

One of the most important issues facing today's societies is the issue of public trust. The issue of public trust has been one of the most important issues in human life throughout all ages and centuries, and its importance has increased over time. Governments strive to gain the trust of citizens, because with a decrease in public trust, the likelihood of public participation in political processes decreases, and citizens' withdrawal from government support poses a problem for the legitimacy of democratic governance. For this reason, the issue of public trust has become a very important axis in the literature related to public administration (Arifi Nihad, 1400 AH, p. 73). Accordingly, maintaining public trust is one of the important foundations in criminalizing the omission of actions by agents. Public trust means the people's sense of security and confidence in the correct and desirable performance of government institutions and agents. When government agents do not perform their duties properly and in this regard, omission occurs, this can lead to weakening public trust and reducing the legitimacy of government institutions. In other words, the omission of actions by officials, which leads to the failure to perform legal and managerial duties, causes people to distrust the performance of the government and government institutions and ultimately distances government institutions from their main mission, which is to ensure public welfare and security. Therefore, criminalizing the omission of actions by officials is important from the perspective that by imposing specific penalties on these individuals, government institutions are obliged to perform their duties completely and promptly, thus maintaining public trust in government institutions. This not only maintains public security and order, but also helps strengthen the relationship between the government and the people and create transparency in government affairs (Abbaszadeh, 2019, p. 142). Maintaining

public trust, as one of the fundamental principles in running the country, requires government officials to refrain from arbitrary actions and neglecting their duties, because this type of behavior can be the basis for public dissatisfaction and distrust in the government structure. Therefore, criminalizing the omission of agents is considered a legal tool to prevent such crises (Ahmadi, 2018, p. 106).

5.2 Betrayal of trust

In our society, legal rights and interests in property, such as ownership and possession, are encouraged and protected; and unauthorized interference with these rights and interests is considered a threat to the economic and social foundations of the country. One of the unauthorized interferences is betrayal of trust. It should be noted that betrayal of trust is a crime against property (Yeganeh, 1402, p. 104). Accordingly, betrayal of trust as one of the bases for criminalizing the omission of actions by agents, when a government agent does not properly perform his duty in relation to the maintenance or management of public property and information, is very important. In this regard, when a government agent performs his duty to maintain public property or government information incorrectly or refuses to do so, this act can be considered betrayal of trust (Javadi, 1399, p. 105). In legal systems, the omission of actions by agents that leads to the violation of their legal and managerial duties in relation to the maintenance of public property. In implementing the second and third paragraphs of Article 156 of the Constitution of the Islamic Republic of Iran, the general policies of the system, the law establishing the General Inspectorate of the country with subsequent amendments and additions, and the legal duty of the judiciary to protect public rights and supervise the proper implementation of laws, and in accordance with the provisions of Articles 90, 91, and 92 of the Civil Service Management Law, approved in 2007, which considers managers and immediate supervisors in executive agencies responsible for monitoring, controlling, and maintaining healthy relations with their employees in performing their assigned duties and obligated to comply with the law and avoid any behavior that violates the law, whether by action or omission, and considering that the abandonment of the legal duties of managers and negligence and negligence in implementing the law and failure to report crimes and violations committed in the area under their jurisdiction, result in their legal liability. In other words, agents who refuse to perform their duties in the field of preserving and maintaining public property or providing public services can be accused of betrayal of trust (Hosseini, 1400, p. 78). For example, government officials are required to maintain confidential information or public property, and failure to perform these duties transparently can be punished as a breach of trust. For this reason, the legislator, by providing penalties for this type of violation, tries to prevent the weakening of public trust and economic losses resulting from this type of omission (Nikfar, 2019, p. 112).

5.3 Protection of Citizens' Rights

In many cases, the fundamental rights of citizens are violated or infringed by the omission of actions taken by the government (Qutabi, 1402 AH, p. 1678). Therefore, the increasing expansion of the activities of the government and executive agencies demonstrates the necessity of taking decisions and actions to streamline administrative affairs and ensure the implementation of laws. Despite this necessity, in some cases, agencies and their officials refrain from taking decisions and actions that they are required to take by law, in which case "omission of administrative action" will be realized. Therefore, in addition to the administrative supervision provided for in the laws, judicial supervision over the omission of administrative action is undeniable in order to prevent the violation of citizens' rights (Mohammadi Ahmadabadi, 1403 AH, p. 101). In this regard, criminalizing the omission of actions by officials has been designed as a legal tool to ensure compliance with citizens' rights and prevent their violation. Since the state is responsible for ensuring the rights of citizens, the failure of agents to act is considered a dereliction of this responsibility and is specifically criminalized to prevent the violation of individual rights. In particular, this type of criminalization can effectively hold officials and agents accountable for fulfilling their duties and protecting the rights of individuals in society.

5.4 Corruption Prevention

Corruption has consequences such as wasting national resources, weakening incentives, preventing the growth of competition, increasing transaction costs, poverty, poor health, low life expectancy, unequal

distribution of income and wealth, inappropriate use of domestic and foreign resources, and the lack of possibility of institutional reforms (Arifi Nihad, 2018, p. 73). Therefore, one of the important categories in the field of government and private institutions and departments is administrative corruption, which has always created problems in the government transaction system. Government employees are one of the organizational assets in the administration of the country's affairs, and their good performance in achieving the goals of the organization and the government is very important and has a direct relationship with greater and more useful efficiency and moving away from areas of employee violations and violations, paving the way for the progress of the employee and the organization (Amirian Farsani, 2018, p. 73). The author believes that preventing corruption as one of the foundations of criminalizing the omission of agents plays a fundamental role in maintaining the health of government and administrative systems. Corruption is one of the major problems of societies and governments that can lead to waste of public resources, reduce the efficiency of government institutions, and reduce public trust in government officials and agents. One of the most important methods of preventing corruption is to require agents to perform their legal duties correctly and completely. In this context, the omission of action by agents can lead to corruption and financial abuse, because failure to perform duties in a timely and complete manner can lead to the creation of corrupt environments. In other words, the omission of action by government agents can lead to the creation of opportunities for corruption. Since corruption is directly related to the inaction or negligence of agents, criminalizing omission of action is proposed as a means to prevent corruption and ensure the soundness of government activities. Therefore, by criminalizing the omission of officials in certain areas, especially in cases that may lead to corruption or abuse of power, legislators intend to require government officials to carry out their responsibilities effectively and in a timely manner. This criminalization not only helps prevent corruption but also leads to transparency, accountability, and oversight in government agencies.

5.5 Lack of development of the administrative system

Lack of development of the administrative system, as one of the foundations of criminalizing the omission of government officials, can have many negative effects and consequences on the functioning and performance of governments. The administrative system of a country, as the main pillars of implementing government policies and programs, plays a vital role in achieving economic, social and political goals. Therefore, any negligence, omission or omission of officials in performing their duties can lead to structural problems and disruptions in the efficiency of the administrative system. When government officials refuse to perform their duties in the field of developing and improving administrative processes, this action not only leads to inefficiency in the administrative system, but also reduces the quality of public services. For example, if a government official fails to implement reforms in administrative processes or update information systems, this can hinder the progress and development of the administrative system, and as a result, lead to a slowdown in the process of providing services to citizens and the lack of effective utilization of public resources (Bayat, 2011, p. 145). In such circumstances, criminalizing the omission of officials in various fields, especially in areas related to the development of the administrative system, can be used as a tool to create legal pressure on government officials and officials to perform their duties on time. This will not only improve the performance of the government and increase the efficiency of the administrative system, but will also help reduce administrative corruption and prevent the misuse of public resources. In other words, criminalizing the omission of officials in this field is one of the measures that seems necessary to prevent the imposition of heavy costs on the government and society (Rahimi, 2010, p. 98). Therefore, the lack of development of the administrative system is directly related to the inaction of government officials. This type of inaction, as one of the serious reasons for the weakening of the administrative system and the failure to properly implement government policies and programs, should be criminalized by legislators with effective and efficient penalties, especially in the field of administrative responsibilities, in order to prevent the creation of structural problems and the reduction of government efficiency.

6. Conclusion

Omission of action by agents means refusing to perform legal or administrative duties assigned to the agent, and if the omission of action results in loss or damage, it can be considered a crime. This concept in criminal

law means that the agent or responsible official is held liable for failing to perform his duties, which have been assigned to him by law or higher authorities. Analysis of crimes resulting from omission of action by agents shows that these crimes are often caused by negligence and failure to perform legal and administrative duties by government and public officials. Omission of action by agents can manifest itself in various forms, such as failure to report a crime, failure to implement judicial orders, and failure to provide public services. These cases not only cause social and economic losses, but also lay the foundation for public distrust and dissatisfaction that affects social security and the legitimacy of the state. One of the fundamental principles that is considered in the criminalization of omission of action by agents is maintaining public trust. In fact, one of the greatest dangers of official omission is the weakening of public trust, which is itself a major factor in reducing public participation in political and social affairs. This distrust may lead to the loss of legitimacy of governments and a decrease in the effectiveness of executive institutions. The principles of criminalizing official omission also include concepts such as betrayal of trust, failure to perform legal duties, and failure to protect public interests. These principles emphasize the importance of performing the duties of officials in terms of legal and moral considerations in ensuring public welfare and maintaining social order. Therefore, criminalizing official omission is not only considered a tool to combat irresponsible behavior, but also as a legal and social necessity to maintain public order and security and promote transparency in government agencies. Therefore, it is necessary that the laws and regulations related to official omission are carefully and completely reviewed and amended to provide legal guarantees and more effective penalties to prevent this type of violation.

Sources and References

- (1Ahmadi, Mohammad. (2018). Administrative Law in Iran. Tehran: Ferdowsi Publications.
- (2Amirian Farsani, Amin. (2012). A Study of Preventing Administrative Corruption in Iran from an Islamic Perspective. Journal of New Achievements in Public Law. Issue 1.
- (3Ashouri, Mehdi. (2011). General Criminal Law. Tehran: Samt Publications.
- (4Bayat, Farshad. (2013). Management and Administrative Systems in Iran. Tehran: Law Research Institute Publications.
- (5Jafari Langroudi, Mohammad Jafar. (2005). Legal Terminology. Tehran: Ganj Danesh.
- (6Javadi, Ali. (2019). Fundamentals of Criminal Law. Tehran: Tehran University Publications.
- (7Haj Ali Akbari, Mohammad. (2013). A Study and Recognition of Crimes Committed by Omission of Action. Scientific Conference on Legal Studies, Judicial Sciences and Social Research.
- (8Hassanpour, Hamidreza. (2018). The Importance of Preventing Administrative Corruption and Its Impact on Social Health. Journal of Education and Community Health. Issue 2.
- (9Hosseini, Mohammad. (2011). Public Law and Government Responsibilities. Tehran: Ganjineh Danesh Publication.
- (10Rahimi, Mohsen. (2010). Administrative Law and Structural Advances. Tehran: Daneshpajoohan Publication.
- (11Rostami, Abbas. (2015). Social and Economic Law in Iran. Tehran: Dadgostari Publication.
- (12Rostami, Mohammad. (2016). Criminal Policy and Criminalization in Iranian Law. Tehran: Majd.
- (13Zeraat, Abbas. (2018). Explanation of the Islamic Penal Code. Tehran: Feyz Publication.
- (14Sadeghi, Reza. (2017). Principles and Foundations of Economic Law. Tehran: Tehran University Press.
- (15Safari, Ali. (2015). The effect of the type of crime, its importance and the place of its commission on the failure of individuals to report crimes to judicial officers and judicial authorities. Journal of Private and Criminal Law. Issue 23.
- (16Safaei, Abbas. (2010). Iranian Administrative Law. Tehran: Samt.

- (17) Arefi Nohad, Abdollah. (2011). Public Trust and the Culture of Accountability. Collection of Papers of the First National Conference of Modern Research in Management, Economics and Accounting.
- (18) Abbaszadeh, Saeed. (2019). Fundamentals of Public and Administrative Law. Tehran: Ganjineh Danesh Publishing.
- (19) Farokhi, Mansour. (2017). Violation and its Comparison with Criminalization in Iranian Criminal Policy, Islamic Azad University, Bandar Abbas Branch.
- (20) Ghotbi, Milad. (1402), Legal action against the government's failure to act in relation to the fundamental rights of the people, Journal of Public Law Studies, No. 3.
- (21) Ghorchibeigi, Majid. (2019). Analysis of the criminalization of failure to act in the confrontation between the two principles of autonomy and welfare, Islamic Law Research Journal, No. 1.
- (22) Katouzian, Naser. (2005). Public law and the rule of law. Tehran: Publication Joint Stock Company.
- (23) Mohammadnejad, Heydar. (2016). Public service theory and its governing principles in Iranian laws and judicial practice, Two Quarterly Journals of Administrative Law, No. 10.
- (24) Mohammadi Ahmadabadi, Hossein, (2014), Supervision of the Administrative Court Branches over the failure to act in administrative matters (Explanation and Analysis of Article 16 of the Administrative Court Law), Danesh Public Law Journal, No. 43.
- (25) Mohammadi, Ali. (2016). Fundamentals of Public Law. Tehran: Ganj Danesh Publishing.
- 26) Nikfar, Bahram. (2019). Administrative and Criminal Responsibilities of Government Agents. Tehran: Andisheh Publishing.