

**Right of Defense As A Guarantee of Disciplinary Punishment of Public official: "A
Study adopting the Comparative Analytical Approach"**

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Abstract

This study explores the theoretical aspects related to the right of defense through collecting the greatest possible amount of knowledge about this topic. It aims to identify the practical aspects of this topic through clarifying its various applications in the field of administrative disciplinary. It aims to promote knowledge among employees about the disciplinary procedures taken against them and their right of defense. It aims to promote such knowledge among employees to make them familiar with the legal requirements. The law obliges the administration to carry out the required procedures to discipline the public official.

It was found that the public official is the main instrument that the administration relies on do its activities. The greater they are and the greater his guarantees, the greater trust the official shall have in the bodies that enforce their authorities on him. That proves that the guarantee principle contributes to complementing the effectiveness principle and strengthening the compliance with it. The researcher recommends basing the disciplinary philosophy –in the disciplinary legislations of various levels – on the firm belief that the disciplinary punishment is a mean to facilitate the way of carrying out works in public facilities. He recommends basing such philosophy on the firm belief that the disciplinary punishment is a mean to protect the official's job-related rights and reform his behaviours in case he committed a violation when doing his duties and meeting the job requirements. He recommends basing such philosophy on the firm belief that the disciplinary punishment is not a mean for oppressing the official. This philosophy must be adopted by the administration when enforcing a disciplinary punishment

Keywords: Administrative investigation, public official, the public official's right of defense, disciplinary violations