

Legal Analysis of Iran's Economic, Culture and Social Development Planning: From Rational Planning to Wise Decision-Making

التحليل القانوني لتخطيط التنمية الاقتصادية والثقافية والاجتماعية في إيران: من التخطيط العقلاني إلى اتخاذ

القرار الحكيم

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Abstract:

In today's world, engineering science has placed significant importance on laws related to development, which are crucial to meeting basic human needs. These laws have caught the attention of countries worldwide, and legal experts have been called upon to closely scrutinize the legislative approaches being taken in the economic, social, and cultural development plans of these countries. They are carefully analyzing how these approaches align with distributive and transitional justice elements while considering legal rationality.

Recently, there has been a question about whether Iran's existing rational approaches and models in the development planning system align with development laws that respect a rationalist approach and decision-making model.

To answer this question, the present study applied a specific methodology based on a literature review, case study, and document analysis of official documents, laws, regulations, and policies related to development planning in Iran. The study analyzed legal rationality, identified potential drawbacks, and proposed approaches to tackle development legal issues.

Keywords: Rationality, Decision-making process, Policymaking, laws of development, development planning

ملخص

في عالم اليوم، أولت العلوم الهندسية أهمية كبيرة للقوانين المتعلقة بالتنمية، والتي تعتبر حاسمة لتلبية الاحتياجات الإنسانية الأساسية. وقد لفتت هذه القوانين انتباه الدول في جميع أنحاء العالم، وتم استدعاء الخبراء القانونيين للتدقيق الدقيق في النهج التشريعي المتبع في خطط التنمية الاقتصادية والاجتماعية والثقافية لهذه البلدان. وهم يقومون بتحليل دقيق لكيفية توافق هذه الأساليب مع عناصر العدالة التوزيعية والانتقالية مع مراعاة العقلانية القانونية.

في الآونة الأخيرة، كان هناك سؤال حول ما إذا كانت الأساليب والنماذج العقلانية الحالية في إيران في نظام التخطيط التنموي تماشى مع قوانين التنمية التي تحترم النهج العقلاني ونموذج صنع القرار.

للإجابة على هذا السؤال، طبقت الدراسة الحالية منهجية محددة تعتمد على مراجعة الأدبيات ودراسة الحالة وتحليل الوثائق الرسمية والقوانين واللوائح والسياسات المتعلقة بالتخطيط التنموي في إيران. وحللت الدراسة العقلانية القانونية، وحددت العيوب المحتملة، واقترحت أساليب لمعالجة القضايا القانونية المتعلقة بالتنمية.

الكلمات المفتاحية: العقلانية، عملية اتخاذ القرار، صنع السياسات، قوانين التنمية، التخطيط التنموي

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Introduction

It is now widely accepted among development lawyers that universal planning is impossible. Instead, it is crucial to consider constitutional laws and other political plans when determining an appropriate position for development planning (Shakeri, 2015: 8). The origin of development planning thought in Iran dates to 1924 when the "Commission on Economics" was established in the National Consultative Assembly. This commission was responsible for finding a solution to economic problems. The second course of efforts to prepare a national plan began in 1937 (Arouzi,1996:45). Development is the constant economic growth of a society and the improvement of individuals' welfare conditions, which results from transformation and evolution in the economic, social, political, scientific, and cultural basics of a society (Kingsbury &..., 2004: 24-25).

An efficient and integrated plan is one of the most important necessities in development goals achievement. The planning system means preparation arrangement, confirmation, performance, and supervision of the plan (Shakeri, 2015: 8). Therefore, the body of the planning system is made up of different organizations one of which plays a role based on their purpose and ability. Iran is among the countries that have used the law in planning. Around 70 years ago, planning started in Iran. Three types of planning have been prepared that is the civil plan (relying on design and project), comprehensive national plan (the traditional form of the plan) and structural plan (recognizing basic challenges of the development process and trying to prepare necessities of sustainable development achievement) (Parliament Research Center, 2012: 3). Despite several decades of planning experience, the legislating development plan was not successful compatible with the expected goals of development laws. However, Iran has had rich resources, suitable geographical and growth, and development necessities, among other nations (Nourmohammadi, 2002: 7). Therefore, it is essential to deliberate the dominant approach over the country planning system, which leads to the confirmation of Iran's development law and to identify its damages. Because identifying and answering our previous processes' shortcomings approximates us to the goal of development law.

Human rationality and his thinking method are important in the field of preparing necessary policies to legislate development plans in two aspects: first, because the human factor has been the center of development laws discussions and consequently the center of planning for development optimal law, so human thought plays a key role in the legal planning system and ignoring the relationship of rationality with legal rationality distances achieving the goal in the light of planning. Second, the concept of development law has changed by human definition change as an economic factor, and as a result, the instrument of achieving development law changes that are planning. So legal rationality is variable, subordinate, and product of various factors whose reasons are involved in planning for development in plan law format. (Easterly, W,2001).

Relying on the role of rationality in expected planning, which leads to desired development plan law, the present study has investigated legally utilizing descriptive research methods and according to the following questions to clarify whether rational approach and existing models in the Iran development planning system approximate us to the goal of development laws. Also, this study has investigated processes, approaches, and damages of development planning legally in legislating country development plans to answer the question. Accordingly, some minor questions appeared in the study which have been responded to implicitly, including how is the position of development laws and development planning system in Iran system? Does the development system take advantage of the purposeful element of legal rationality? How is Iran's pattern ability in development planning? What are the challenges of development planning?

Thus, the first part represents concepts, legal position, and economic development models for planning, then rationality, and last, challenges of development planning in Iran are investigated to make conclusions through the investigations.

1. Concepts, Legal Position and Economic Development Models for Planning

1.1 Development Planning Concept

Planning is the instrument of achieving goals, and it is a process. Planning means conscious government attempts in coordination with long-term economic decisions and influencing, directing, and in some cases controlling the level and growth of the main economic values of a country to achieve a predetermined set of goals (Parliament Research Center, 2012: 3). In fact, the output plan is the planning process. Plans are divided into different sorts based on the type of used planning method, planning horizon and... prospective, long-term, medium-term, five-year, yearly, national development, economic and... (Modarresi, 2006: 9).

Development planning is used to prepare a plan for regulating and guiding economic, political, social, and cultural activities through people's conscious and motivated cooperation to do ordered stages towards sublime and achievable goals (not ideal and unachievable goals) (Shakeri, 2015: 5). But the first necessary condition to have a suitable legislating system in the field of country development plans law is to define the plan itself precisely. "Economic, social and cultural plan of the Islamic Republic of Iran" has no legal definition. No word and no title have been defined under the name of the "expected development plan of development plan law..." in Constitutional and Mother Law, Islamic Republic of Iran Constitutional Law, General Accounting Law and "Plan and Budget" Law confirmed in March 1972 to prepare the legal bill. But according to clause 3 article 1 of "Plan and Budget," Law confirmed in March 1972 that the government is obliged to prepare a "five-year civil plan" bill as it has been defined perfectly and to submit it for approval to Islamic Consultative Assembly (Parliament Research Center, 2010: 32).

1.2 The Position of Plan Law in Iran's Legal System

In none of the laws, the legislator has represented an accurate and precise definition of development plan law. The represented definition from a five-year civil plan may not be an acceptable definition for the mentioned plan. This definition is created because this legal document is common and expanded ambiguous and brief in Iran's Legal System. In some lawyers' points of view, the confirmed laws of the legislator in the legal system are divided into two normal and organic groups. Although organic laws are approved by parliament, they are regarded as prudent to enforce Constitutional Law and to complete it (Markaz Malmiri, 2011: 213-251). Although organic laws are not a part of Constitutional Law, they have higher than normal laws; there are special because of the quorum for confirmation and modification, especially position in Constitutional Law, inserted matters in them, and their role in parliament acts juridical control respecting compatibility with Constitutional Law. However, development plan law is not a part of organic laws because, except for a special quorum for their modification, none of the organic laws features are compatible with development plan laws in our legal system. Many development plan law provisions lack substantial features and instead have political features.

Upstream national documents like Constitutional Law, Iran's 20-Year Perspective Document, general policies of the system, and their relationship with medium-term plans have been one of the ambiguities in the planning of the country. This problem prevents the dominance of a long-term political umbrella over a country's medium-term planning atmosphere, and consequently country

has encountered excess and deficiency in a directory approach and adjustment policies without the necessary background to legislate development plan law (Markaz Malmiri, 2011: 230). On the other hand, according to what has been mentioned in the definition of plan and planning, the goalsetting of every plan law must be in the framework of the country's executive ability and its real facilities (Parliament Research Center, 2009: 16). Plans sometimes don't pay attention to social abilities and limitations principally. In some cases, they are designed so ambitiously and somehow impracticable, which leads to frustration due to illogical ambitions.

1.3 Economic Development Patterns for Planning

To legislate optimal development law, it is necessary to consider decision-making as a rational pattern in developmental policymaking and rationality element as well (Ikelegbe, 2006: 145). The rational planning pattern is one of the common models in development laws to legislate development law. Making correct decisions in decision making in the governmental section or preparing and executing business strategy in the private section is done utilizing this pattern.

The rational decision-making model is a structural and successive approach for decision-making among development and development laws experts, which is defined as looking for accurate solutions for problems utilizing accurate methods. Decision-makers obtain the necessary information by observation, statistical analysis, or native modelling (Simon, 2011: 85). Regarding the significance of economic development, it is possible to plan considering the following economic development patterns:

1.3.1 Liberal Economists

They believe that resources are allocated best in the country when there is freedom of selection and a competitive environment for rational actives to participate in this field after recognizing their interests. As a result, planning by the government is against society's free management and prevents economic efficiency and growth. In other words, this group believes that most developed nations have the most distance from the planning system and planning itself is the biggest obstacle in development, this group remembers the experiences of England and the USA. Liberal scholars and Austria schools of thought advocates like Mises, Hayek, and their followers in Iran are in this group. According to this view, the development plan law must use decentralized planning to achieve rationality and wise decision-making (Cowen, T,2018).

1.3.2 Neoclassic Economists

According to experiences after WWII, the market economic paradigm and adjusted capital patterns maintain that underdeveloped countries must plan to fill the distance from developed communities faster to use their experiences and to provide development preliminaries. Still, this planning must be consistent with reducing governmental centralization and expanding private sections based on efficiency index and economic growth. Global Bank experts in the 1950s, the Modernization school of thought, and scholars like Rostow are in this group. The suggested plan of this group is the repetition of the industrialization experience in a capitalist way and belief in representing a universal version to all communities. Planning based on large-scale economic indices and prioritizing market expansion and liberation are among the features of this group, sometimes regulatory capitalism is used to refer to this system (Namazi, 2008: 121). It is truly obvious that legal rationality is based on nations' and cultures' different encounters with a single form and is far from the expected goals of a legal system based on development (Stiglitz, J. E,2017).

1.3.3 Socialist and Structuralist Economists: The Genesis of Centralized Planning

The genesis of centralized planning can be traced back to the Soviet Union, where left-wing theoreticians were instrumental in formulating progressive agendas for industrialization. Given the limited capacity of non-governmental institutions in such political systems, the government assumed a pivotal role in this planning process, driven by ideological imperatives. Centralized planning entailed meticulous delineation of both small-scale and large-scale objectives. Despite being rooted in socialist principles, this approach prioritized distributive justice, social cohesion, and the reduction of class disparities. Referred to as a "non-capitalist growth path," this model of industrialization aimed at achieving societal goals beyond mere economic expansion. However, critiques emerged, particularly during the 1960s and 1970s, giving rise to the Structuralist and Dependency School of Thought. This paradigm shift underscored the exacerbation of inequality and underdevelopment in Third World countries, attributed to new forms of international colonization policies (Alvin So, 2007: 25).

1.3.4 Institutional Economics: Shifting Perspectives on Development

Institutional economics, while sharing growth objectives with neoclassicism, diverges significantly in its approach to achieving developmental outcomes. Unlike neoclassicists, institutionalists focus not on the goal itself but on the methodologies employed to attain it. According to this perspective, the trajectory of a society's development is shaped by institutional changes and the establishment of conducive game rules over time, rather than solely relying on cost mechanisms (North, 1998: 19). Institutionalists place a premium on efficiency and efficacy of governmental intervention in facilitating development, prioritizing institutional evolution over government size. (Acemoglu, D, 2005 & Rodrik, D, 2015). Furthermore, institutionalists reject a one-size-fits-all approach to development, recognizing the multifaceted nature of societal progress. They emphasize holistic development that encompasses not only macroeconomic indicators but also considers the historical, cultural, political, and legal fabric of each society.

In this view, the scope of development is expansive, extending beyond economic reforms to encompass institutional restructuring and value transformations. Institutionalists advocate for targeted plans with clear objectives, coupled with robust oversight and accountability mechanisms within democratic governance structures (Khandouzi, 2010: 106). Central to this model is the integration of government, market, and institutions, with development plans grounded in the competency of these three pillars.

2. Rationality Considering Planning Laws

Rational planning is a cornerstone of development laws that embodies the nature of legal rationality. Based on scientific reasoning and modern technology and data collection, rational planning involves a pragmatic approach to decision-making. This methodology emphasizes the formulation of logical arguments supported by empirical evidence, thereby facilitating informed choices among alternatives. The roots of the concepts of rationality can be found in the pioneering works of Herbert Simon.

Throughout history, researchers and practitioners have proposed a variety of planning theories, each evolving in response to the changing needs of society. In the meantime, the logical planning model appears particularly successful and relevant in contemporary contexts (Sandercock, 1998). This approach includes understanding the problem, formulating criteria, generating alternatives, and evaluating and continuously monitoring the selected options. The logic inherent in this methodological framework ensures a structured approach to problem-solving.

In contrast, rational planning traces its lineage to Enlightenment epistemology, prioritizing reason, logic, and empirical evidence over subjective values and feelings (Allmendinger, 2002: 77-99). This approach, referred to as "procedural planning theory" by Faludi (1978), involves a commitment to scientific methods and systematic decision-making processes. Guided by experience, planners use detailed methods to define and refine strategies to achieve desired outcomes. While both rational planning and logical planning commit to systematic problem-solving, they differ in emphasis. Rational planning prioritizes scientific principles and decision-making processes, while logical planning emphasizes technical expertise and the application of social science to address complex problems (Allmendinger, 2002: 77-99). Sandercock describes the logic model as "technocratic planning" and highlights its reliance on technical skills and belief in the efficacy of social technologies to solve social challenges. The interplay between rational and logical planning paradigms emphasizes the multifaceted nature of planning processes, each offering unique insights and methods for addressing the complexities of development planning.

2.1 Types of Rationality

The rationalities that development laws are looking for to achieve their goal in planning is economic, political, legal, and professional rationalities.

2.1.1 Economic Rationality

Economic rationality is the instrument to respond to limited needs, and the more commercial the number of accessible instruments is, the more needs can be responded to. The efficiency element of microeconomics is more important than microeconomics in many governmental policies, the necessity to observe this rationality is obvious, and economic principles and motivation are essential to be considered (Black J, 2008:329).

2.1.2 Political Rationality

Conflict over politics is the primary substance of politics and governmental management, during this conflict, the opposite party has persuasion power utilizing legislation law voting power. This political conflict prevents harsh disputes and quarrels protects society from dictatorship and oligarchy and settles peacefulness in society. One of the elements of this rationality is to settle unequal distribution, pays attention to political rationality to the continuity power of individuals or groups existing in the policymaking process while claiming equality in a national democratic system and consequently maintains that without paying attention to this critical matter, that policy won't be accepted by individuals and groups. Also, political rationality pays attention to social integrity and cooperation in solving general issues. Therefore, ignoring these elements endangers the quality and sustainability of society (Here's a reference that discusses the concept of political rationality and its implications (Dryzek, J. S.:1997).

2.1.3. Legal Rationality

A politics enjoys legal rationality that is prepared, executed, evaluated, and terminated, relying on Constitutional Law and other rules. According to this rationality, the government is paying attention to legal requirements to observe legal certainty in government behaviours. The first element of this rationality is equality in the presence of law, and it legitimates government claims about equality. Establishing legal norms is very difficult in many countries, like confirming rules about suicide, organ donation, genetic engineering, protecting from privacy, and protecting from software (Black J, 2008: 328-329, Weber, M. (1922). Johnson, L. (2023).

2.1.4 Professional Rationality

Professional rationality helps the government recognize policy goals. It is a knowledge obtained from practical experiences and practical knowledge about behavioral patterns in political parts and fields and considering government interferences feasibility; it is among the foregrounds of professional policy. Also, in this rationality, organizations sociology, social psychology, communication sciences, social sciences pivotal branches and technical knowledge play an important role, these sciences rely on real operation independently (Black J, 2008: 329-330).

Investigating rationality and development law expectations from developmental planning which appear in development law, as mentioned earlier in the second part, development plans pathology in Iran's development plan law is investigated considering process and expectations, and types of rationality and decision-making system to, at last, demonstrate the relationship of expected legal rationality in Iran law easily.

3. Development Plan Pathology in Iran's Development Plan Law

Development plan problems in Iran exist in the planning "method." Planning shortcomings include prerequisites, planning process, plan content, and executing problems that may be encountered with the problem in achieving development law goals in the light of development plan law legislation (Itan, 2011).

3.1 Pathology of Development Planning Prerequisites in Development Plan Law

These challenges are summarized as A: lacking a common definition of development concept about development. Sometimes development is inferred as progression. B: statistics system Governmentality, a reliable statistical system, is an important instrument to evaluate government performance consistent with executing predicted designs in a development plan. The governmentality of the economic activities' statistics center, the absence of an independent center, and statistics neutrality and delay in presenting and releasing economic statistics have made it impossible to evaluate and analyze governments' performance in executing plan laws (Kord Bacheh, 2012: 131).

3.2 Pathology of Development Planning Process in Development Plan Law

Damages in the process stage are summarized as follows:

3.2.1 Different Executing Methods of Developmental Policies

The efficiency of the planning system, on the one hand, depends on plan correct preparation, plan practicability, and the ability to be supervised. The methods of policy execution are different in development plans. Some development plans emphasize accelerated policy execution, and in some other plans, slow plans have penetrated more. The legal articles of some plans with microscopic and particularistic attitudes are accompanied by corresponding and various instructions and regulations. Some other legal articles have compiled holism so that different understandings and interpretations are drawn from them.

These interpretational understandings may distance us from the legislator's main goal. Despite being prepared with a strategic goal, plan provisions didn't have a developmental essence respecting content, or they have been prepared and regulated in a particularistic approach or instead

in an ambitious approach. In fact, we have planned to achieve a thing that we do not know (Barmaki, 2014: 39).

3.2.2 Centralization in Planning and Beneficiaries' Non-Participation

Although the government takes executive organizations' opinions about plan law rules, writing and terminating plan law rules are non-participatory and contested. As a result, the elite, political groups, and executive organizations have no consensus over the plan (Khandouzi, 2011: 117).

3.2.3 Not Determining Modification Priorities of Country's Structure in Development Plan Law

The country's potentials are spent on issues that cause other important issues. In the case of original reasons for survival, this negligible modification won't be sustainable and will reproduce inefficiency and injustice. In other words, effective starting points and vicious underdevelopment circles are still unrecognized (Khandouzi, 2011: 118).

3.3 Pathology of Development Planning Content in Development Plan Law

They are planning content challenges related to different Constitutional Laws, plans and budgets, circulars parliament interior codes and other regulations and rules including:

3.3.1 Development Planning in Constitutional Law

Islamic Republic of Iran's Constitutional Law has described the country's economic system based on general planning accurately and correctly. The beginning of principle 44 states that: "Islamic Republic of Iran's economic system has founded on three governmental, cooperative and private sections with disciplined and correct planning..." In principles 43, 100, 101, 104 and 134 also the words planning, and plan have been used. Considering the budget, principle 52 also defines the country's financial plan for one year. Principle 126 of Constitutional Law has assigned the responsibility of "plan and budget affairs" to the president. Other principles of this law have assigned duties to the government and doing them is not possible without planning. Welfare and removing poverty and deprivation (third principle of Constitutional Law), providing social security services and supports (principle 29 of Constitutional Law), providing free education instruments (principle 30 of Constitutional Law) and distributing sources compatible with regional needs and talents (principles 48 of Constitutional Law) are among these principles. Planning in Constitutional Law is so important which is not limited to government decision-making (executive power), and not only three powers but also people through councils take part in preparing, regulating, and executing this task (clause 8 in third, seventh and one-hundredth to one-hundred and sixth principles of Constitutional Law). Despite the importance of plan law in the system of the Islamic Republic of Iran, it is not mentioned in Constitutional Law, and its indicators have not been explained (Parliament Research Center, 2012: 4).

3.3.2 Development Planning in Plan and Budget Law

According to article one in Plan and Budget Law of the country confirmed in March 1972, three plans have been defined and predicted regarding temporal dimensions which are considered as the

main basis and pivot of the Budget and Planning System, financial supervision and guide and coordinate country's economic affairs:

- 1- Long-term plan: it is a plan which is predicted for economic and social development during a ten-year or longer course as a guide to five-year planning.
- 2- Five-year civil plan: it is a comprehensive plan which is regulated for five years and confirmed by MPs; also, the goals and policies of economic and social development are determined during this course. This plan also predicts all government financial resources and resources that are spent on the civil operation by governmental companies and private section and government current and civil credits and governmental companies' civil costs and private section to obtain the predetermined goals.
- 3- Annual planning: it is a government operational plan which is regulated annually and submitted to the National Consultative Assembly as well as total country budget and annual determined goals and executive operations of each executive power with related credit are determined in the forms of goals and policies mentioned in the five-year civil plan.

That law was confirmed more than 40 years ago, and it needs transformation and evolution considering evolution in the political and economic structure of Iran. There are other reasons which confirm the necessity to investigate and revise the Plan and Budget Law including approving supplementary laws in the framework of Plan and Budget Law, development plan law, collection law for some incomes, regulating law of some government financial regulations and scientific evolutions which have happened during this period in planning, budgeting, and supervising.

The expected legal rationality is not achievable in the mentioned laws. It is essential to revise the country's Plan and Budget Law in development planning content and developmental laws through a systemic and integrated look and a scientific method and take advantage of some countries' experiences and internal experiences. Also, this law has to respond to existing shortcomings in the present plan and budget system: shortcomings including lack of clarity, tendency to represent qualitative plans and absence of quantitative goals and indices to evaluate plans, centralizing on investigating some parts of budget bill (mainly notes), not separating previous commitments from new selections and activities, unrealistic suggested digits in income rows, high amounts of miscellaneous credits, undetermined parliament duty in investigating companies and banks budget, absence of performance and operational accounting, decision making references plurality, etc. (Tashkini, 2009: 45).

3.3.3 Development Planning in Parliament Internal Circulars and Codes

How to confirm development plans has not been mentioned in the parliament's internal code either. Parliament doesn't enjoy a legal mission and necessary instruments and enough expertise to discuss planning professionally, and the legal rationality element doesn't exist so obvious in law and instructions form. So, according to the sixth course, the government is responsible for selecting strategies and planning large-scale policies. The honourable MPs mention Clause 3 article 1 in Plan and Budget Law and the confirmed Budget 1972 to document this duty of government and argue that according to this clause, the government must prepare a comprehensive plan and submit it to parliament. Referring to this clause is exceptionable in some respects:

first, the mentioned clause has mentioned the civil plan, which must be confirmed by MPs.

Second, civil plans considered in this article need financial resources and current and civil credits. Therefore, governments before the Islamic Revolution had to submit civil plans to MPs. The

absence of a clear framework in the process of development plans in parliament codes has made the sixth-course mention that the government must select strategies and plan large-scale policies.

Another problem is the plurality and divergence of subjects included in the development plan which shows the shortcomings of the legal system created for the development plan, according to principles 74 and 65 of Constitutional Law and article 135 of the Internal Code, legal bills and proposals must have one specific subject and articles consistent and related to the main subject of the bill without any exception. Article 91 of the National Consultative Assembly Internal Code during the constitution and Article 135 of the National Consultative Assembly Internal Code have emphasized the necessity to follow the unexceptionable rule in defining legal bills. Although government development sixth plan has planned about 50 different subjects like universities, insurance, Insurance and Health Council, statistics, mapping, Dialogue Council, tax, National Development Fund, Central Bank, Money and Credit Council, imports, exports, exchange, interior and exterior insurance contribution, nuclear plants and installations, water, soil, forests, road transportation and turnpike, State Planning Council, Land Use Planning Supreme Council, Selective Service Organization, frequency bands, Protection Unit, capital market, promoting Imam's thought and life conduct, foreign companies tax exemption, Iran Cheque publishing, transferring national and governmental lands and... these subjects have caused divergence and scattering of subjects and not paying enough attention to subjects.

3.4 Development Planning Challenges in Development Plan Law in Executive System

There are various problems related to the executive system of development plans, money and financial indiscipline, and unrealistic currency rates. The inefficiency of governmental sections and monopolies, oil income problems, and policies without scientific and experimental support, are some of the most important problems which may guide us in judging a legislator's expected legal rationality.

3.4.1 Inconsistency of period between Formulator Government and Executor Government of Development Plans

Interference among government 5-year and 4-year plans has been founded in law by the change of the country's executive system in 1991. Governments that came to power in Iran have considered their specific plans and strategies and tried to implement them. Such disagreements in different governments have made them represent different definitions of recognized and specific criteria like inflation, unemployment, people's purchasing power, welfare, and things like these, which even have standard and universal definitions (Barmaki, 2014: 39). Thus, development plans temporal calendar may interfere with the country's political calendar.

3.4.2 Not Preparing Operational Plans or Delay in Executive Codes Compilation

Developmental or medium-term plans act as an intermediary between long-term plans (strategic) and short-term plans (operational). In other words, the ideal and strategic plan achievement besides developmental plan compilation needs operational plan implementation and execution. Therefore, development plans are effective and efficient when there is coordination and integrity between long-term, medium-term, and long-term plans. Also, there must be convergence and synergy between strategic, tactical, and operational plans to prevent the plan from deviating from the determined path (Mirzaei, 2004: 18-19).

3.4.2 Supervisory Mechanisms' Severe Weakness

Rationality and making wise decisions are reinforced by supervision in development laws. Despite supervisory powers at different levels like the large scale, including Expediency Discernment Council, laws level like the National Consultative Assembly, budget level like Supreme Audit Court of Iran, regulations level like General Inspection Office and...unfortunately, supervision process over development plans execution is so unclear, untimely, and inefficient. Postponed reports, settlement of budget by Supreme Audit Court of Iran and plan performance report by the government, and absence of two clarity and effectiveness elements made organizations practically not make these plan rules without any fear. According to the above-mentioned matters, it seems that development plans in Iran have no executive guarantee (Khandouzi, 2010: 111). Planning is meaningless without monitoring and control, so it is necessary to supervise the development plans execution process preciously, considering various and effective interior and exterior variables which have expanded the planning uncertainty atmosphere, it is necessary to continuously control and to probably revise the plans more than ever.

Conclusion

According to what has been mentioned, which contemplated the position and process of planning and described the existing damages, the development planning system dominant over Iran's development plan law despite potential abilities and many efforts and measures in applying rationality and purposefulness elements is somehow unable.

First, its position and relationship in the dominant legal system over development plan law is related to organic laws on the one hand.

Second, it has a deeply ambiguous relationship with other policies; on the other hand, this challenge includes many legal and illegal damages in conflict with development laws goals.

Third, legal-rational approaches in developmental planning in Iran's development plans law have an unstable structure so despite the development title and having development plans in planning, the concept of the development plan has not been considered consistent with the development law goal.

Fourth, no obvious definition of development, which is the symbol of legislators' rationality, and wise decision-making has not been represented in the country's development plans. Also, developmental plans in Iran's development plan law do not describe a proportion between planning system goals and instruments to achieve these goals expected by development laws based on rationality. And structural, procedural, and legal requirements have not considered the legal rationality approach and wise decision-making of these goals' achievement feasibility. Also, the legal concepts of "plan law" and "planning law" are in elementary stages and sometimes seem ambiguous. Regardless that the Islamic Republic of Iran's Constitutional Law has mentioned planning, it didn't offer any obvious definition of plan law or other types of law, normal laws also didn't pay attention to this subject. Accordingly, it seems that recognizing concepts, conceptualization, agreement upon planning, and at last preparing a plan compatible with the country's present condition for development plan law are necessary.

Fifth, from a non-legal point of view, which is influenced by social and economic approaches, it seems very difficult and sometimes impossible to achieve development law goals in the light of developmental legislation.

At last, to answer the question considering the above identification stages, it is important to say that development planning approaches in Iran development law have not been based on development law goals and the expected rationality which has to introduce itself through a logical process and in the form of development plan law has been ignored and consequently wisely decision making must not be expected or supposed considering legal rationality absence.

Therefore, the present study maintains that the rational-legal process must move towards a design model and pattern consistent with developmental regulation using logical planning patterns and to maintain and observe rationality in the structure of legal legislation (in normal development law) from the identification stage to the legislative execution stage. Therefore, it is recommended to consider logical stages in the decision-making process in planning for development and legislating development law to feel expected legal rationality in the soul of plan laws.

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