### **OPEN PEER REVIEW**

# Examining Testimony from the Perspective of Law and Philosophy

Mohamad Mahdi. Hasan Nayeb<sup>1</sup>, Yousef. Darvishihoveyda<sup>2\*</sup>, Ebrahim. Delshad Moaref<sup>3</sup>

<sup>1</sup> PhD Student, Department of Private Law, Qom Branch, Islamic Azad University, Qom, Iran

<sup>2</sup> Assistant Professor, Department of Jurisprudence and Law, Central Tehran Branch, Islamic Azad University, Tehran, Iran

<sup>3</sup> Assistant Professor, Department of Jurisprudence and Law, Qom Branch, Islamic Azad University, Qom, Iran

#### \* Corresponding author email address: yousefdarvishihoveyda@yahoo.com

Received: 2023-06-24	Revised: 2023-09-13	Accepted: 2023-09-20	Published: 2023-10-01
EDITOR:		-	
Mustafa Kaan Tuysuz <sup>®</sup>			
Institute of Social Sciences, Siirt Universite, Siirt, Turkey			
AhmetKılıç@siirt.edu.tr			
REVIEWER 1:			
Yusuf Mohamed 🗅			
Department of Architecture and City Design, King Fahd University of Petroleum and Minerals, Dhahran, SaudiArabia			
yusufmohamed@kfupm.edu.sa			
REVIEWER 2:			
Thanuja Kulasooriya២			
Department Soil Science, Faculty of Agriculture, University of Ruhuna, Mapalana, Kamburupitiya, Sri Lanka			
thkulasooriya@soil.ruh.ac.lk			

## 1. Round 1

#### 1.1. Reviewer 1

Reviewer:

This section introduces testimony but lacks a discussion on its significance in modern legal and philosophical contexts. Adding examples of its implications in contemporary judicial systems would enhance relevance.

While the section outlines CEDAW's principles, it lacks specific examples of its implementation or conflicts with Islamic jurisprudence in testimony-related laws.

The comparison between French and Iranian law is informative but could be expanded by discussing the practical challenges of implementing these laws in each jurisdiction.

The lack of concrete case law examples weakens the argument. Consider including landmark cases to illustrate the points discussed.

Authors revised the manuscript and uploaded the document.

#### 1.2. Reviewer 2

Reviewer:

The discussion of Fricker's work is valuable but lacks a critical evaluation of its applicability to non-Western legal systems. Include a comparative analysis of her views with Islamic jurisprudence perspectives. While the sources cited are appropriate, the argument would benefit from further exploration of differences across Islamic schools of thought regarding testimony.

The section presents traditional interpretations but does not critique their implications. Consider discussing alternative views or recent reforms in Islamic countries to provide a balanced perspective.

The article does not specify the methodological approach used to analyze legal and philosophical perspectives. Consider adding a section detailing the research design.

Terms such as "criticizable evidence" and "binding evidence" are introduced but not consistently defined. Include a glossary or clarify these terms throughout the text.

The psychological discussion is insightful but could benefit from references to empirical studies or psychological frameworks that support the claims.

The discussion on judicial discretion would be enriched by exploring its limits and the checks and balances in place to prevent bias.

Authors revised the manuscript and uploaded the document.

## 2. Revised

Editor's decision: Accepted. Editor in Chief's decision: Accepted.

