

OPEN PEER REVIEW

Judicial Supervision over the Implementation of the Land Cadastre in Iran

Hamid. Nazari¹, Majid. Doroudian^{2*}, Ali. Dashti¹

¹ Department of Public Law, CT.C., Islamic Azad University, Tehran, Iran
² Assistant Professor, Department of Public Law, Faculty of Law, Payame Noor University, Tehran, Iran

* Corresponding author email address: M.doroudian@pnu.ac.ir

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EDITOR: Asghar Jafari Associate Professor, Department of Psychology, Kashan University, Iran. Email: as_jafari@sbu.ac.ir			
REVIEWER 1: Asghar Jafari Associate Professor, Department of Psychology, Kashan University, Iran. Email: as_jafari@sbu.ac.ir			
REVIEWER 2: Asghar Jafari Associate Professor, Department of Psychology, Kashan University, Iran. Email: as_jafari@sbu.ac.ir			

1. Round 1

1.1. Reviewer 1

Reviewer:

In the first paragraph of the Introduction, the claim that “at least fifty percent of legal cases in the country stem from regular transactions” requires a precise and authoritative empirical source. The expression “regular transactions” is also legally ambiguous and may refer to informal transactions, ordinary transactions, private instruments, or disputes arising from real-estate dealings. The authors should define the intended category, provide the relevant year and statistical authority, explain whether the figure concerns civil cases, all judicial cases, or property-related litigation, and avoid using this statistic to establish causation unless longitudinal evidence is available.

In Section 2.3, the statement that cadastral systems contribute to “decriminalization efforts by reducing property lawsuits” conflates decriminalization, dispute prevention, and reduction of civil litigation. Decriminalization ordinarily means removing criminal liability from conduct, whereas accurate cadastral information may reduce property disputes, fraudulent conveyances, document forgery, or litigation volume. The terminology should therefore be corrected, and the authors should separate the potential effect on civil claims from the potential preventive effect on criminal offences. Any assertion that cadastre reduces case volume should also be supported by empirical or official judicial data.

In Section 3, the opening sentence states that evaluating an organizational concept involves “effectiveness, efficiency, transparency, accountability, and adherence to legal frameworks,” but the remainder of the section does not systematically apply these criteria. The authors should convert these concepts into an explicit analytical framework and evaluate each supervisory institution against them. For example, the analysis could compare legal mandate, independence, access to cadastral data, investigatory authority, remedial powers, enforceability of findings, accountability, and capacity to prevent violations. This would transform the manuscript from a descriptive inventory into a structured legal-institutional analysis.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

In the introductory paragraph beginning “The issue of judicial supervision over the execution of the cadastre in Iran is a critical topic,” the research gap is asserted rather than demonstrated. The authors should review the existing Iranian scholarship on cadastral governance, administrative supervision, judicial review, public-rights protection, and the supervisory jurisdiction of the General Inspection Organization. They should then identify exactly what previous studies have not addressed—for example, fragmentation of supervisory competences, absence of performance-based judicial oversight, or uncertainty concerning the legal basis of preventive intervention. Without such a literature-based gap, the manuscript reads primarily as a compilation of legal provisions.

In the final paragraph of the Introduction, the sentence “the purpose of this article is to examine how and by which institutions judicial supervision over the implementation of land cadastre is carried out in Iran” should be reformulated into one principal research question and several subsidiary questions. The article should specify whether it examines judicial review of administrative decisions, organizational inspection, prosecutorial crime-prevention functions, adjudication of cadastral disputes, or supervision exercised by the Head of the Judiciary. These are legally distinct mechanisms, and treating all of them under the general label of “judicial supervision” produces conceptual imprecision.

In Section 2.1, the paragraph beginning “The cadastre plays a significant role in the real estate economy” lists seven general benefits, including investment attraction, taxation, land-use planning, and risk management, but offers only one citation at the end of the list. Each major proposition should be supported by appropriate legal, economic, or land-administration literature. More importantly, the authors should explain how these functions are connected to the article’s central subject of judicial supervision. The section should be condensed or analytically linked to specific supervisory risks, such as inaccurate boundaries, incomplete title registration, unauthorized data modification, or failure of interagency data exchange.

In Section 2.2, the sentence “Cadastre plays a fundamental role in the three factors of sovereignty: population, territory, and power” introduces a broad public-law proposition that is not adequately theorized. The authors should identify the jurisprudential or political-theoretical basis for treating population, territory, and power as the three constituent elements of sovereignty and then explain how cadastral registration affects each element in legal rather than merely administrative terms. In particular, the claim that cadastral records provide “reliable demographic information” appears overstated because cadastral databases principally record property and spatial rights, not necessarily population characteristics.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor’s decision: Accepted.

Editor in Chief’s decision: Accepted.