

OPEN PEER REVIEW

Comparative Analysis of the Foundations of Victim's Moral Damage Compensation in Iranian and American Law

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1. Round 1

1.1. Reviewer 1

Reviewer:

The phrase "Among the relatively complex issues in the field of law is the topic of compensating moral damages..." lacks precision. Consider rephrasing to specify what makes this topic complex—whether it is due to legal ambiguity, cultural differences, or varying interpretations across jurisdictions.

Terms such as "moral damages", "non-material damages", and "psychological harm" are used interchangeably. It would enhance clarity if a single term is consistently used throughout the text.

While the section outlines legal provisions in Iran, the comparison with American law lacks depth. Consider expanding on how American courts quantify and award moral damages, using specific case law examples.

Incorporating relevant case precedents from both jurisdictions would add practical insights to the discussion.

The article should discuss how courts or legal scholars propose to quantify moral damages, addressing the subjective nature of such harm.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The statement "Given the focus on a comparative analysis of Iranian and American law, this research demonstrates innovation." lacks specificity. It would be beneficial to explicitly state what novel aspect is being contributed compared to existing literature.

The article does not specify the methodology used to conduct the comparative analysis. Was a doctrinal legal research method employed, or were case law and statutory analysis prioritized?

The discussion on Islamic jurisprudence heavily references the "no harm" principle. Expanding on how contemporary Islamic jurists interpret this principle in relation to modern compensatory frameworks would strengthen the argument.

The reference to the Civil Liability Act of 1960 should include a citation from the official legal text, ensuring reliability and precision.

The interpretation of Article 171 of the Iranian Constitution is insightful but requires further elaboration on its application in Iranian courts.

The discussion on U.S. tort law omits mention of key doctrines such as intentional infliction of emotional distress (IIED). Including this concept would provide a more comprehensive view.

The article mentions that courts often avoid ruling on moral damage claims due to ambiguity. Providing specific examples or statistics would strengthen this claim.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor's decision: Accepted.

Editor in Chief's decision: Accepted.