

OPEN PEER REVIEW

# Comparative Analysis of the Dissociative and Collective Theories of Qisas in Islamic Jurisprudence and Their Impact on the Iranian Legal System

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## 1. Round 1

### 1.1. Reviewer 1

Reviewer:

Consider adding references to maqasid al-shari’ah or Islamic legal philosophy literature to ground this framing in a broader jurisprudential context.

The phrase “entails significant social implications” is vague. Please specify what kinds of implications are meant—legal delays, family disputes, or societal discord?

The quotation attributed to Al-Muqni’ah is extensive and detailed. Please ensure the citation includes edition information, publisher, and publication date to enhance traceability.

While the manuscript discusses Iranian legal practices, it does not cite or reference current Iranian criminal law codes (e.g., Islamic Penal Code articles). Consider including statutory references.

The Sunni tradition is portrayed somewhat homogenously. Please discuss differences between Hanafi, Maliki, and Hanbali approaches if relevant.

While it is understandable given Iran’s context, the article may appear biased unless it clarifies why Shi’a interpretations are prioritized and acknowledges this methodological limitation.

Consider including isnad analysis or grading methodology (e.g., al-Tusi’s or al-Majlisi’s approach) to strengthen hadith authenticity evaluations.

Authors revised the manuscript and uploaded the document.

## 1.2. Reviewer 2

Reviewer:

The methodological section lacks rigor. What are the specific steps taken in the comparative analysis? Were any content analysis techniques or juristic hermeneutics used?

You occasionally switch between Arabic transliterations and English equivalents. Consider standardizing terms (perhaps use both in first mention and one consistently thereafter).

This section would benefit from being separated into two distinct parts: "Theoretical Framework" and "Review of Literature," as they address conceptually different goals.

This verse is interpreted in favor of the dissociative theory. However, such a conclusion requires exegetical support. Please cite tafsir literature beyond Tabataba'i to justify this reading.

The manuscript would benefit from a comparative table summarizing the main points of difference between the two theories across key dimensions (e.g., juristic basis, Quranic verses, implications).

This claim is broad. Please provide empirical or textual evidence to support the assumption that consensus always results in social harmony.

No contemporary legal scholars (post-2000) or modern fiqh theorists are cited. Consider including recent journal articles or fatwas reflecting current debates on qisas.

Authors revised the manuscript and uploaded the document.

## 2. Revised

Editor's decision: Accepted.

Editor in Chief's decision: Accepted.