

Examining the Conflict Between Predominant Practical Custom and the Rationales of Legal Rulings in the Tension Between Tradition and Modernity

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1. Round 1

1.1. Reviewer 1

Reviewer:

This paragraph reviews previous approaches but reads as descriptive. Strengthen the analytical transition by explaining why an intermediary approach is most relevant for Imami legal discourse and how this article contributes to that gap.

The statement “serious disputes arose among religious scholars regarding the appropriate way to engage with modernity” should be supported with concrete historical examples (e.g., debates surrounding constitutionalism or codification of law in the Qajar era).

The three subsidiary questions are clear, but the methodology for answering them is missing. Specify the analytical method—textual, hermeneutic, or jurisprudential content analysis—and how sources were selected and interpreted.

The authors conclude that both Na’īnī and Ṣadr fail to resolve the interaction of custom with textual rulings. This is a valuable insight—consider proposing, in one sentence, how future methodological innovation (e.g., hermeneutical re-classification of texts) could address this deficiency.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The claim that “most of these works merely compile the opinions of earlier jurists with minimal analysis” risks being overly general. Provide a few examples or criteria that distinguish “compilative” from “analytical” works.

The review summarizes prior works effectively but does not indicate their methodological differences. Consider adding one sentence comparing the epistemological orientation (uṣūlī vs. akhbārī) of each.

The sub-sections (a–c) are dense and contain extensive historical data. To improve readability, the authors could include a short introductory paragraph summarizing why these presuppositions are essential for the subsequent theoretical discussion.

The phrase “it gradually gained broad acceptance in modern times” needs chronological specificity. Indicate which twentieth-century jurists institutionalized this dichotomy (e.g., Na’īnī, Sadr).

The narrative is historically informative but overly general. Suggest incorporating specific figures (e.g., Sheikh Fazlollah Nuri, Mirza Malkom Khan) to ground the historical polarity between “religious scholars” and “enlightened intellectuals.”

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2. Revised

Editor’s decision: Accepted.

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