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Explaining the Structural and Functional Differences and Similarities between the Constitutions of Iran and the United Arab Emirates in the Realm of Constitutional Law

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1. Round 1

1.1. Reviewer 1

Reviewer:

A notable concern arises regarding the authors' affiliations. The manuscript lists three researchers from the field of Sport Management (Science and Research Branch, Islamic Azad University and Payam Noor University). However, the topic is strictly focused on Constitutional Law and Islamic Jurisprudence. While interdisciplinary research is encouraged, the authors must explicitly state in the introduction or a footnote how their background in sports management informs this legal analysis, or ensure the legal terminology and methodology are vetted to meet the standards of a specialized law journal.

The manuscript discusses the Guardian Council in Iran but provides less detail on the UAE's Federal Supreme Court's power of constitutional review. A professional reviewer would expect a balanced comparison of how these two bodies resolve conflicts between federal law and the constitution. Does the UAE's court have a similar "veto" power based on religious interpretation, or is its role more aligned with secular constitutionalism? Strengthening this section is essential.

The authors touch upon the amendment processes (Article 177 in Iran and the 2009 UAE amendments). However, the "functionalist" element is missing here: why are these processes designed this way? The authors should explain how the rigidity of the Iranian amendment process serves to preserve revolutionary ideology, whereas the UAE's process serves elite stability. This would connect the "structural" description to the "functional" goal of the paper.

The paper mentions that Iran's legal system often diverges from international secular norms. To be more comprehensive, the authors should also analyze the UAE's constitutional approach to international treaties. Since both nations are signatories to various international conventions, a paragraph discussing how their respective constitutions harmonize (or conflict) with international human rights law would provide a more global perspective.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The authors state they are employing a "functionalist methodology" based on Zweigert and Kötz. While this is a recognized approach in comparative law, the application feels somewhat descriptive in the current draft. To improve the paper, the authors should move beyond describing the two systems side-by-side and instead provide a more integrated "tertium comparationis" (a common point of comparison). For example, rather than separate sections on Iran and the UAE, the paper could be structured by "functional problems" (e.g., "How does each system resolve deadlocks between religious law and modern administrative needs?") to better demonstrate the functionalist approach.

The manuscript correctly identifies Iran as a theocratic republic and the UAE as a federal elective monarchy. However, the analysis would benefit from a deeper exploration of how these labels translate into the protection of individual rights. The authors mention that Iran's system is "jurisprudential" while the UAE's is "monarchical-traditional," but further discussion is needed on how the UAE's federalism limits centralized religious interpretation compared to Iran's unitary "Velayat-e Faqih."

While the manuscript cites foundational texts and some scholars (e.g., Haji Rajabi, 2026; Arghavani Pirsalamei, 2017), the bibliography appears to rely on older sources for the UAE's constitutional history (e.g., Sami, 2004; Basha, 2007). The authors should incorporate more recent scholarship (2018–2024) regarding recent judicial reforms in the UAE and the evolving role of the Expediency Discernment Council in Iran to ensure the paper reflects the current legal landscape.

The paper distinguishes between Article 4 of the Iranian Constitution and Article 7 of the UAE Constitution regarding Sharia. This is a crucial point that needs even more nuance. The reviewer suggests a dedicated table or a more robust paragraph explaining the legal hierarchy: In Iran, Sharia is the criterion for all laws, whereas in the UAE, it is "a" primary source. Exploring the practical implications of this distinction in commercial law (e.g., banking or foreign investment) would add significant value.

Authors revised the manuscript and uploaded the document.

2. Revised

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