

A Comparative Study of the Status of Electronic Evidence in the Proof of Claims in Imami Jurisprudence, Iranian Law, and French Law

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Received: 2026-01-01 Revised: 2026-04-27 Accepted: 2026-05-05 Published: 2026-07-01

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1. Round 1

1.1. Reviewer 1

Reviewer:

In the paragraph stating “The main question of the present study is: What is the status of electronic evidence...,” the research question is appropriately formulated, but it lacks operationalization; specifically, the terms “status” and “probative value” are not analytically defined, and the article would benefit from clarifying whether “status” refers to admissibility, evidentiary weight, or procedural treatment, as this ambiguity weakens methodological precision and comparative validity.

The “Research Background” section, particularly the paragraph beginning “A review of the research background shows...,” lacks a clear synthesis of prior studies; while multiple sources are mentioned, there is no thematic categorization or critical comparison of findings, and the section would benefit from grouping studies into jurisprudential, statutory, and comparative strands to highlight the research gap more explicitly.

In the paragraph referencing “Prominent jurists such as Shaykh Ansari...,” the historical jurisprudential discussion is valuable, but the transition to contemporary analysis is abrupt; the author should explicitly bridge classical doctrines to modern evidentiary challenges, possibly by identifying interpretive methodologies (e.g., dynamic *ijtihad*) that enable this transition.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The paragraph beginning “The significance of this study derives from the fact that Iranian law...” presents a strong justification, yet the claim that Iranian law “faces numerous practical and theoretical challenges” is asserted without immediate

citation or exemplification; for rigor, the author should integrate specific doctrinal conflicts or judicial inconsistencies (e.g., divergent court interpretations of Article 12 of the Electronic Commerce Act) to substantiate this assertion.

In the paragraph discussing jurisprudential rules such as “the rule of ‘no harm’ and the rule of ‘preventing disruption of the social order’...,” the sentence “may provide an appropriate basis for accepting electronic evidence” requires deeper analytical development, as the connection between these macro-principles and evidentiary admissibility is not sufficiently demonstrated; a more precise doctrinal pathway (e.g., through *maslahah* or public order considerations) should be articulated.

The paragraph beginning “In Iranian criminal law, although Article 60 of the Islamic Penal Code...” contains a critical claim that “the Islamic legislator has failed to keep pace with developments,” which is evaluative in tone and insufficiently neutral for an academic article; this sentence should be reformulated to reflect a more balanced scholarly perspective and supported with comparative legislative timelines or jurisprudential commentary.

In the paragraph “A comparative examination of French law shows that the Act of March 13, 2000...,” the analysis is accurate but remains largely descriptive; the article would be strengthened by incorporating critical assessment, particularly regarding whether the French model’s reliance on functional equivalence fully resolves evidentiary risks such as authenticity and cybersecurity vulnerabilities.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor’s decision: Accepted.

Editor in Chief’s decision: Accepted.