

OPEN PEER REVIEW

Protection of the Non-Pecuniary (Personality) Rights of Women in Private Sector Employment Contracts (A Comparative Study of Iranian and French Law)

Saeid Erfanian^{1*}¹ Department of Criminal Law and Criminology, Sab.C., Islamic Azad University, Sabzevar, Iran

* Corresponding author email address: Saeed.erfanin915@gmail.com

Received: 2026-01-01	Revised: 2026-05-03	Accepted: 2026-05-10	Initial Publish: 2026-07-04	Final Publish: 2026-07-01
EDITOR: Eman Shenouda ^{id} Associate Professor, Department of Psychology, Isfahan (Khorasgan) Branch, Islamic Azad University, Isfahan, Iran. Email: ens01@fayoum.edu.eg				
REVIEWER 1: Jingjing Wang ^{id} Law School, Peking University (PKU), Peking, China. Email: jingwang@vip.sina.com				
REVIEWER 2: Jeremiah Thuku Thuku ^{id} Department of Literary and Communication Studies, Laikipia University, Nyahururu, Kenya. Email: jerethukuthuku@gmail.com				

1. Round 1

1.1. Reviewer 1

Reviewer:

In the sentence “Non-pecuniary rights, or personality rights, are a set of inherent and inalienable rights...,” the conceptual definition remains doctrinal but insufficiently problematized; the authors should clarify whether they adopt a positivist, natural law, or hybrid theoretical stance, and explicitly distinguish personality rights from adjacent concepts such as fundamental rights or human dignity to avoid terminological conflation.

In the paragraph stating “French law... has developed specific and codified mechanisms for combating psychological harassment and gender discrimination,” the manuscript makes a strong claim without referencing specific legislative provisions or landmark jurisprudence; inclusion of concrete citations (e.g., specific articles of the French Labor Code or Court of Cassation rulings) is necessary for analytical rigor.

The research question paragraph (“This study seeks to answer the following fundamental questions...”) is well-structured but would benefit from clearer operationalization; the authors should specify how “extent” and “quality” of legal protection are measured or assessed within the comparative framework.

In section 3.3, the sentence “French labor law expressly provides that no employer may impose restrictions...” would benefit from direct quotation or precise paraphrasing of the relevant legal provision to enhance doctrinal accuracy and credibility.

In the findings section (4.1), the discussion of Articles 20 and 21 of the Iranian Constitution is informative but lacks critical evaluation; the authors should assess the practical enforceability of these provisions and their interaction with ordinary labor legislation.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

In the hypothesis statement “the French legal system... provides more explicit, structured, and effective protections,” the term “effective” is not operationally defined; the authors should indicate whether effectiveness refers to legislative comprehensiveness, enforcement outcomes, judicial accessibility, or empirical reduction of violations.

Within the research background section, particularly in the paragraph discussing Katouzian (2006), the review is largely descriptive and lacks critical synthesis; the authors should engage in comparative evaluation of sources, identifying theoretical gaps and methodological limitations in prior studies rather than merely summarizing them.

In the paragraph on Safaei and Emami (2013), the manuscript states that the work “provides an appropriate basis,” yet it does not clarify how this basis informs the present study’s analytical framework; explicit linkage between prior literature and current research design is required.

The paragraph beginning “Overall, review of the research background shows...” asserts novelty, but this claim is insufficiently substantiated; the authors should systematically demonstrate the absence of prior comparative studies specifically addressing non-pecuniary rights in Iran and France, possibly through a structured gap analysis.

In section 3.1, the sentence “These rights have a dual nature...” introduces an important theoretical claim but lacks citation support; given its centrality, the authors should reference authoritative doctrinal or philosophical sources to substantiate this duality.

In the discussion of subordination (“the distinctive feature of the employment contract is the existence of a relationship of subordination...”), the manuscript would benefit from engagement with established labor law theories (e.g., the concept of “legal subordination” in European labor doctrine) to deepen the analytical foundation.

In section 3.2, the statement “differences... are not regarded as negative discrimination” requires further normative justification; the authors should critically examine whether this interpretation aligns with contemporary international human rights standards or represents a contested doctrinal position.

The paragraph addressing “permissible discrimination” introduces a highly sensitive and theoretically complex concept, yet it is treated descriptively; a more rigorous normative analysis is needed, including engagement with counterarguments and critiques from equality jurisprudence.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor’s decision: Accepted.

Editor in Chief’s decision: Accepted.