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Analysis and Pathology of Policies for Combating Narcotic Drugs and Psychotropic Substances under Iranian Law

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1. Round 1

1.1. Reviewer 1

Reviewer:

The final sentence of the first introductory paragraph states that rapid developments in the drug market and the emergence of new psychotropic substances have raised “serious questions and challenges concerning the effectiveness of this legislative and executive system.” This central claim requires greater specificity. The authors should identify what they mean by “effectiveness”: deterrence, reduction in prevalence, suppression of trafficking networks, reduction in recidivism, improved access to treatment, decreased drug-related mortality, or reduced incarceration. Without explicitly defining effectiveness, the subsequent analysis risks shifting among incompatible evaluative criteria. The manuscript would benefit from an operational framework in which legislative effectiveness, judicial effectiveness, law-enforcement effectiveness, and public-health effectiveness are separately defined and assessed.

In the second paragraph of the Introduction, the authors formulate the principal hypothesis as follows: “although Iran’s policies for combating narcotic drugs and psychotropic substances possess a substantial legislative foundation, they encounter significant deficiencies at the implementation stage.” This formulation is overly broad and partly anticipates the conclusion without explaining how the hypothesis will be tested. The authors should reformulate the hypothesis into analytically verifiable propositions, such as whether punitive dominance is associated with prison overcrowding, whether fragmented regulations produce inconsistent judicial interpretations, or whether insufficient treatment infrastructure undermines the statutory distinction between users and traffickers. The manuscript should also indicate the legal and empirical evidence used to confirm or reject each proposition.

The third paragraph of the Introduction identifies a research gap by asserting that previous scholarship has not sufficiently integrated substantive law, executive regulations, and emerging psychotropic-substance challenges. This is potentially an important contribution, but the review of prior research remains descriptive and incomplete. The authors should provide a more systematic classification of the cited literature and explicitly demonstrate how the present article differs from previous works by Malek-Mohammadi and Dehghani, Akbari, Zali et al., and other cited scholars. In particular, the article should explain whether its novelty lies in doctrinal synthesis, policy evaluation, institutional analysis, or the integration of criminal law with public-health principles. A clear statement of theoretical, methodological, and practical contributions is needed at the end of this paragraph.

The methodological statement in the third paragraph—"This study employs a descriptive-analytical method based on library and documentary research"—is too general for a scientific legal article. The authors should describe the document-selection procedure, the temporal boundaries of the reviewed legislation, the types of judicial materials examined, the criteria for selecting scholarly sources, and the analytical method applied to those materials. It should be clarified whether the authors conducted doctrinal legal analysis, qualitative content analysis, comparative legal analysis, policy analysis, or a combination of these methods. If judicial decisions were reviewed, the number, jurisdiction, period, and selection criteria should be reported. Without this information, the study cannot be independently evaluated or replicated.

The paragraph on harm reduction states that this approach "continues to be treated within the Iranian legal system primarily as a supplementary and secondary policy rather than as an independent and principal strategy." This conclusion is important but currently rests mainly on assertion. The authors should identify the statutory, regulatory, budgetary, and institutional evidence supporting this claim. They should examine the legal status of maintenance treatment, needle and syringe programs, drop-in centers, overdose prevention, infectious-disease control, and community-based services. It is also necessary to distinguish harm reduction from abstinence-based treatment and compulsory rehabilitation, as these models are sometimes conflated in the manuscript despite having different objectives, methods, and ethical foundations.

In the paragraph addressing the role of judicial and law-enforcement institutions, the authors observe that "the dominant emphasis has been placed on law-enforcement operations and the physical seizure of drugs." The manuscript should critically question whether seizure volume is an appropriate indicator of institutional success. Higher seizure rates may indicate improved enforcement, increased supply, changes in trafficking routes, or intensified policing rather than actual market contraction. The authors should recommend more meaningful indicators, including disruption of high-level networks, financial asset recovery, reduction in retail availability, decline in drug-related violence, and treatment referral rates. The analysis would also benefit from distinguishing operational policing outcomes from broader policy outcomes.

The paragraph beginning "Iran's legislative policy concerning narcotic drugs and psychotropic substances has primarily been shaped by the crisis-generating nature of the phenomenon" introduces the concept of legislative inflation but does not provide a sufficiently systematic account of normative fragmentation. The authors should identify specific inconsistencies among the Anti-Narcotics Law, the Islamic Penal Code, the Criminal Procedure Code, implementing regulations, and administrative directives. They should explain whether the problem involves overlapping offense definitions, inconsistent sanctions, unclear institutional competencies, conflicting procedural rules, or inaccessible amendments. A structured mapping of primary and secondary legislation would enable readers to understand how legislative inflation produces practical uncertainty.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

In the fourth paragraph of the Introduction, the authors ask whether Iran's legislative and executive policies have achieved "an acceptable balance among the objectives of repression, prevention, treatment, and social reintegration." The concept of an "acceptable balance" requires a normative benchmark. The manuscript should identify whether this balance is evaluated according to Iranian constitutional principles, general criminal-law doctrines, international drug-control conventions, public-health standards, human-rights principles, or comparative policy models. The authors should develop an explicit evaluative matrix based on principles such as legality, necessity, proportionality, differentiation, effectiveness, harm reduction, and institutional coordination. This framework should then structure the entire analysis rather than appearing only as an introductory question.

In the first paragraph under "Theoretical Foundations," the manuscript states that the concepts of narcotic drugs and psychotropic substances under Iranian law cannot be understood without reference to the 1961, 1971, and 1988 conventions. The legal relationship between these conventions and domestic Iranian law requires a more precise explanation. The authors should clarify Iran's status in relation to each convention, the manner in which treaty obligations have been incorporated into domestic legislation, and whether official schedules are directly derived from international classifications or adopted through separate domestic procedures. The paragraph should also distinguish legally among "narcotic drugs," "psychotropic substances," "precursors," and "new psychoactive substances," as these categories are governed by different international and domestic control mechanisms.

The paragraph beginning "Iran's criminal policy concerning narcotic drugs and psychotropic substances is multidimensional" correctly distinguishes legislative, judicial, and executive levels, but it does not sufficiently engage with the theoretical meaning of "criminal policy." The manuscript should clarify whether it adopts a narrow state-centered conception limited to criminalization and punishment or a broader conception encompassing social prevention, treatment, welfare, policing, and civil-society participation. This conceptual choice is crucial because the article later criticizes the dominance of punitive policy while simultaneously describing therapeutic and preventive measures as components of criminal policy. A more rigorous theoretical definition would prevent conceptual inconsistency and enable the authors to classify each legal and institutional measure accurately.

In the paragraph beginning "An examination of Iranian laws and regulations concerning narcotic drugs demonstrates that the prevailing criminal policy is based on two principal approaches," the binary classification of repression and treatment is useful but overly reductive. Iranian drug policy also includes situational prevention, social prevention, administrative regulation, financial investigation, confiscation of criminal proceeds, border control, intelligence operations, and post-release supervision. The authors should either justify the use of a two-pole model or replace it with a multidimensional typology. In addition, the paragraph should distinguish between treatment voluntarily sought under Article 15 and compulsory interventions associated with Article 16, because these mechanisms raise different legal, ethical, and therapeutic questions.

In the first paragraph under "Laws and Regulations," the statement that subsequent amendments reflect a "partially moderating approach" should be supported by a more detailed doctrinal analysis of the 2017 amendment. The authors should explain precisely which thresholds, aggravating circumstances, and offender characteristics altered eligibility for the death penalty and how these changes affected previously imposed sentences. The article should also address whether the amendment modified only penal severity or fundamentally altered the structure of culpability and offender differentiation. A comparative table presenting the legal position before and after the amendment would make the analysis considerably clearer and more scientifically useful.

Authors revised the manuscript and uploaded the document.

2. Revised

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